

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

RBS
UNITED STATES OF AMERICA

v.

ALTON COLES, et al.,
Defendants.

FILED
APR 21 2008
MICHAEL J. BRESNICK, Clerk
By NA Dep. Clerk

809
No. 05-CR-440-01

Philadelphia, PA
February 11, 2008
2:49 p.m.

TRANSCRIPT OF TESTIMONY OF ALTON COLES
BEFORE THE HONORABLE R. BARCLAY SURRICK
UNITED STATES DISTRICT COURT JUDGE

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I N D E X

| <u>WITNESSES</u> | <u>Direct</u> | <u>Cross</u> | <u>Redirect</u> | <u>Recross</u> |
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| <u>For the Defense</u> | | | | |
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| Alton Coles | 4 | | | |
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EXHIBITS

| | <u>Ident.</u> | <u>Evid.</u> |
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| G-2 Photo of 4514 Pine Street | 51 | |
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Coles - Direct

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1 THE COURT: All right, have a seat, ladies and
2 gentlemen. All right, will you swear the witness?

3 THE CLERK: Please rise and raise **your** right hand.

4 ALTON COLES, DEFENDANT, SWORN

5 THE CLERK: Please state your full name, spell your
6 last name for the record.

7 THE WITNESS: Alton Coles. A-L-T-O-N C-O-L-E-S.

8 DIRECT EXAMINATION

9 BY MR. WARREN:

10 Q Good afternoon, Alton. How you doing?

11 A All right.

12 Q Can you tell the jury a little bit about your background?
13 How old are you?

14 UNIDENTIFIED ATTORNEY: Excuse me, Your Honor. We
15 can't see the witness.

16 THE COURT: Why don't you --

17 UNIDENTIFIED ATTORNEY: Thank you, counselor.

18 THE COURT: Mr. Hetznecker --

19 UNIDENTIFIED ATTORNEY: With all due respect --

20 THE COURT: -- perhaps you'd better move it away.

21 Yes.

22 MR. WARREN: All right.

23 THE COURT: Thank you.

24 MR. WARREN: All right. I'll bring it back if I need
25 it, Judge.

Coles - Direct

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1 THE COURT: Okay. Go ahead, Mr. Warren.

2 BY MR. WARREN:

3 Q All right, Alton. Can you tell us how old you are?

4 A I'm 34 years old.

5 Q Where were you born?

6 A I was born in Darby, P-A.

7 Q Where'd you grow up?

8 A Between Darby and Paschall.

9 Q Do you have any brothers and sisters?

10 A Yeah, I got three brothers.

11 Q You said Darby and Paschall?

12 A Yeah, my mom's from Darby and my dad's, my father's from
13 Paschall.

14 Q When you say Paschall, what are you referring to?

15 A Paschall Projects, Southwest Philadelphia.

16 Q Same Paschall Housing Projects that we've heard testimony
17 about in this case?

18 A Yes.

19 Q All right, and I interrupted you. You were telling us
20 about your brothers and sisters?

21 A Yeah, my brother -- I got three brothers, no sisters.

22 Q What are your brothers' names?

23 A Michael Coles, Mitchell Coles and Ahmin Wiggins.

24 Q And you say you had sisters or no?

25 A No sisters.

Coles - Direct

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1 Q Okay. Michael, what's he do?

2 A He was a cop. I don't know if he's still a cop or not.
3 Might be a state trooper. I don't know now.

4 Q Where's he live at?

5 A He lives in Virginia, near Dumfries.

6 Q What about Mitchell? What's he do?

7 A Mitchell is a -- he helps lawyers. I forget the name of
8 what he is.

9 Q Paralegal?

10 A Paralegal.

11 Q And do you know where he work -- does he work?

12 A Yeah, he works in Philadelphia.

13 Q Okay. And what about Ahmin? What's he do?

14 A Ahmin, he graduated from college from, for computers, but
15 I'm not sure where he works at right now.

16 Q Okay. Does he live in Philadelphia?

17 A Yeah, he live in Philadelphia.

18 Q How --

19 A He was working for Comcast, but I don't know if he still
20 works there.

21 Q How old's Ahmin?

22 A Ahmin, mid-20's.

23 Q Mid-20's? And I forget to ask you this, how about
24 Mitchell? How old's he?

25 A Mitchell might be ready to turn 30. Michael's 33.

Coles - Direct

7

1 Q Okay. And you're 34?

2 A 34.

3 Q Oldest one of them?

4 A Oldest one.

5 Q All right. Where'd you go to school at?

6 A I went to Glen Mills. I went to Pennwood first, then I
7 went to Glen Mills.

8 Q Is Pennwood an elementary school?

9 A No, Walnut Street was elementary school.

10 Q Okay. So Warner (sic) Street was in Darby?

11 A Yeah.

12 Q Were you living with your mom at the time?

13 A Yes.

14 Q How long did you live with your mom?

15 A Till I was about 13 years old.

16 Q And then after you stopped living with your mom, where'd
17 you go to?

18 A My father's.

19 Q And he was where?

20 A In Paschall on Woodland Avenue.

21 Q Paschall Housing Projects?

22 A Yeah, he wasn't exactly in the projects. He was on 70th
23 and Woodland in an apartment building.

24 Q Did you go there by yourself or were you with one of your
25 brothers?

Coles - Direct

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1 A My brother Michael.

2 Q You and your brother, Michael?

3 A Yeah.

4 Q Went to live over at your dad's place near Paschall?

5 A Yes.

6 Q And Mitchell and Ahmin, where'd they go?

7 A Mitchell went with my Aunt Sissie, my mom's sister, and
8 Ahmin went with his grandmother, his father's mother.

9 Q How old were you again when you went to live with your
10 dad?

11 A 13.

12 Q And how old was Michael?

13 A 12.

14 Q 12? All right. Now, before you went to live with your
15 dad, had you been going to school?

16 A Yeah.

17 Q You doing well in school?

18 A Yeah, I was doing well, I was doing -- yeah, I was doing
19 well.

20 Q What happened when you went to live with your dad?

21 A I started getting in a little trouble here and there. I
22 started getting in trouble.

23 Q What kind of trouble?

24 A Hanging out in the streets and stuff a little more.

25 Q What kind of trouble were you getting into?

Coles - Direct

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1 A I was young, so like throwing rocks at cars and stupid
2 stuff like that, and stuff.

3 Q Okay. And there came a point in time when you went to a
4 school in Glen Mills?

5 A Yeah, I went to Glen Mills.

6 Q How old were you when you went to Glen Mills?

7 A I was about 16. 16.

8 Q That'd be sophomore, junior in high school?

9 A I was, I know I was in ninth grade when I went there.

10 Q Okay. Now, do you remember Desmond Faison testifying?

11 A Yeah, I do.

12 Q All right. He described how he met you at Glen Mills.
13 Did that happen?

14 A Yeah. He met -- he already knew me before Glen Mills, but
15 we was all in Glen Mills together.

16 Q Okay. When you were going up to the Paschall area, is
17 that when you first met Desmond Faison?

18 A Yes.

19 Q When -- how old were you when you first met Dez? You knew
20 him by the name of Dez?

21 A Dez.

22 Q Yeah. How old --

23 A We were all kids.

24 Q Okay.

25 A Probably five or six years old. Seven years old.

Coles - Direct

10

1 Q Okay. So you knew him before you had gone to Glen Mills?

2 A Yes.

3 Q Did you know his brothers?

4 A Yeah.

5 Q Okay.

6 A Sharad and Marr.

7 Q Okay. Sharad and Marr?

8 A Yeah.

9 Q Okay. What about another couple names that has come up,
10 Randall Austin?

11 A No, I didn't meet him till 2001 or -- 2001.

12 Q Okay. Rasheed Calhoun, do you remember that name?

13 A Yeah. I met him like '99, 1999, 2000, round that area.

14 Q Okay. Al Zuagar?

15 A Never really knew him. I met him like around 2004 or 5,
16 end of '04, '05.

17 Q Okay. Charlton Custis?

18 A I met him through -- Nino's my artist. I think I signed
19 Nino Brown in like '01, so I might have met Gusto like around
20 end of '02. I knew who he was from seeing him around, but I
21 never knew his name till like '02, '03.

22 Q Okay. So Charlton Custis was not somebody you grew up
23 with?

24 A No.

25 Q Randall Austin was not somebody you grew up with?

Coles - Direct

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1 A No.

2 Q What about Terry Walker?

3 A Terry Walker, I knew him when we were kids, but we never
4 was friends till I was like around 20 years old, I started
5 hanging with Terry Walker.

6 Q Okay, that would have been what year?

7 A '94, '95.

8 Q Okay. Rasheed Calhoun, not somebody you grew up with?

9 A No. He, actually he got kids by my cousin.

10 Q Okay. We'll get to that.

11 A Yeah.

12 Q Robert Cooper -- you know where these names I'm giving you
13 come from, the indictment?

14 A Yeah, yeah.

15 Q You know that, right?

16 A Yeah.

17 Q Robert Cooper, is he somebody you grew up with?

18 A No, I don't know him. I met him in --here.

19 Q Okay. So the only guy that you really grew up with in
20 Paschall was Dez?

21 A Dez. I never really grew up with him, but I know him from
22 when we was kids, yeah.

23 Q Knew him from the projects?

24 A Yeah, knew him from the projects.

25 Q What about Anwar Leonard?

Coles - Direct

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1 A He was young, he younger than us. I never knew him
2 until -- I don't know, till the label was up and established.

3 Q Okay, Tyreek or Tyrek -- is it McGeth?

4 A McGeth. Hammer.

5 Q Hammer?

6 A I don't know him neither. I just know him from playing
7 basketball.

8 Q Okay.

9 A Yep.

10 Q All right. When you went to Glen Mills, I think you told
11 us you were right, a junior, senior in high school?

12 A I was 16 years old. I was in 9th grade, 10th grade. 10th
13 grade, I was in 10th grade.

14 Q How'd you do in Glen Mills?

15 A I did good. I got my GED about a month, two months after
16 I got there. And I was varsity on the track and field,
17 football. And I was in a college prep program.

18 Q Okay. And what year are we talking about here?

19 A '90 -- I graduated in '92, so I was in Glen Mills from '91
20 and '92.

21 Q Okay. You told us you were in college or you were taking
22 college prep courses?

23 A No, no. They were preparing me for, they tried to send me
24 to a school in Denver to play sports, but I ain't, I didn't
25 want to go.

Coles - Direct

13

1 Q Why didn't you want to go?

2 A I was there for like 23 months, ready to go home.

3 Q I hear you; I hear you.

4 A Yeah.

5 Q All right. Did they give you any money to pursue any
6 vocation at Glen Mills?

7 A Yeah, I worked in the barber shop while I was at Glen
8 Mills, and since I didn't go to college, they paid for barber
9 school. They gave me some of the proceeds from barber school.

10 Q Did you go to barber school?

11 A Yeah, I went to Tri-City.

12 Q Okay. Do you remember when that was?

13 A '93, '93.

14 Q Okay, now where is Tri-City?

15 A There's one on Broad Street and there's one in Norristown.
16 I went to the one in Norristown because it was \$1,000 cheaper.

17 Q Okay. And what sort of program were you involved in?

18 A What you mean?

19 Q Well, you were going to barber school, right?

20 A Right.

21 Q What were the -- did you -- was the idea to get a
22 certificate to cut hair? What was the purpose of --

23 A Yeah, you go to barber school. You got to establish
24 enough hours, and then you could take your test to become a,
25 get a barber's license.

Coles - Direct

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1 Q And how long did you have to go to school in order to take
2 a test to get a license?

3 A You had to go there -- the program take about nine months
4 to get enough hours. I stayed there for about seven-and-a-half
5 months. And then if you, what it is, if you miss too many
6 days, they'll kick you out. You get expelled.

7 Q Okay. Were you also cutting hair during this time period?

8 A Yeah, I was -- that was one of the reasons why I was not
9 attending school like I was supposed to.

10 Q Okay. How old are you now, about 18, 19 years old?

11 A Yeah, I was 18, 19.

12 Q And where -- you told the jury you were cutting hair.
13 Where were you cutting hair at?

14 A I was cutting hair at -- first I was cutting hair at this
15 lady's shop -- I can't remember her name -- in Yeadon. And
16 then after about three months of working there, I started
17 working at my Uncle Earl's shop.

18 Q Now, your Uncle Earl's shop, where was that at?

19 A That was on Main Street in Darby.

20 Q Do you remember what year it was that you started cutting
21 hair at your Uncle Earl's shop?

22 A Maybe the end of '93 or '94.

23 Q 1993, 1994?

24 A Uh-huh.

25 Q All right. How did you make money cutting at your Uncle

Coles - Direct

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1 Earl's shop?

2 A I made money in cash. People come and get a haircut, pay
3 you cash, tip you cash.

4 Q Well, what kind of money were you making?

5 A Weekly about anywhere between 400 to \$700.

6 Q This in cash, right?

7 A Cash, yeah.

8 Q Now, did you have to pay your Uncle Earl any money in
9 order to cut hair at his shop?

10 A Yeah.

11 Q How much did you have to pay your Uncle Earl?

12 A I would pay him -- he would -- at first, he started, he
13 was taking 50 percent from all of the barbers. And then we
14 complained, so he changed it to rent. He would charge us rent
15 for the chair. Well, certain individuals, like me.

16 Q Okay. When you say rent for the chair, you'd have to pay
17 him for the use of the barber chair?

18 A Yeah, pay him for the use of the barber chair.

19 Q And how much did you have to pay your Uncle Earl to get
20 use of the barber chair?

21 A About \$175 a week.

22 Q A week?

23 A Yeah.

24 Q And did you tell me a moment ago that you made anywhere
25 between four and 700 a week?

Coles - Direct

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1 A Yeah, anywhere.

2 Q Okay. So it would range from 1,600 to 2,800 a month?

3 A Exactly. Depend on, it depends on if it's a holiday, it
4 be more money. If it's a regular work week, it just be four to
5 700. But yeah, anywhere between there, four and \$700.

6 Q And you were paying 150 a week in order to rent the chair?

7 A Exactly.

8 Q So monthly, that'd be about --

9 A 175.

10 Q 175?

11 A Yeah.

12 Q So monthly that would be about what?

13 A I don't know, got a calculator?

14 Q 700.

15 A Right.

16 Q Okay

17 A You said monthly? Oh, paying the rent, yeah.

18 Q Yeah. Yeah.

19 A Yeah, yeah, yeah.

20 Q Yeah, so you paid about 700 a month --

21 A Right.

22 Q -- and expenses to cut hair?

23 A Right.

24 Q Where were you living at this time?

25 A I was living with my grandmother, and then I met Keisha,

Coles - Direct

17

1 my oldest son's mother.

2 Q Okay. Let's start with your grandmother. Where does your
3 grandmother live? Or where did she live at that time?

4 A She lived on 10th Street.

5 Q Okay.

6 A In Darby.

7 Q 10th Street in Darby?

8 A Uh-huh.

9 Q Okay. Does she still live there now or no?

10 A Yeah, she still live there.

11 Q Okay.

12 A She live next door, not in the same house, but she still
13 live on 10th Street.

14 Q Okay. And what year we in now?

15 A We still in '93, '94.

16 Q '94, and you're living with your grandmother?

17 A Uh-huh.

18 Q Okay, and you're cutting hair for, at your Uncle Earl's
19 shop?

20 A Right.

21 Q Okay. And when you lived with your grandmother, did you
22 have to pay her rent?

23 A No.

24 Q Did you have any other expenses other than the, whatever
25 the money was you had to pay your Uncle Earl for use of the

Coles - Direct

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1 chair?

2 A No.

3 Q Okay. So what were you doing with the extra money you
4 were earning?

5 A Spending it.

6 Q Okay.

7 A Clothes. Cars, yeah.

8 Q Fair enough. All right. You were about to tell us that
9 there came a point in time where you met a young woman named
10 Keisha?

11 A Yeah, I met Keisha.

12 Q When was that?

13 A New Year's of '94.

14 Q Where'd you meet her at?

15 A I met her at a club.

16 Q Do you remember which club?

17 A Yeah, it was a club called the Township Inn, out Darby
18 Township.

19 Q And did you eventually develop a relationship with Keisha?

20 A Yeah. We started dating and she was going to West Chester
21 University; she was in college. And then we moved into an
22 apartment together, out West Chester.

23 Q Okay. Do you remember when that was?

24 A '94.

25 Q '94?

Coles - Direct

19

1 A Yup.

2 Q Were you still working at your Uncle Earl's?

3 A Yeah.

4 Q Okay. How long did you live out in the apartment in West
5 Chester with Keisha?

6 A Probably till like, that particular apartment till like
7 '95. About a year.

8 Q Did you ever have a child with Keisha?

9 A Yeah, my oldest son.

10 Q Okay. What's your oldest son's name?

11 A Alton Coles, Jr.

12 Q And what year was he born in?

13 A He was born in, near the end of '94.

14 Q End of '94?

15 A July 17th.

16 Q July 17th?

17 A July 17th.

18 Q Okay. And you were living with Keisha and your son at
19 this apartment in West Chester?

20 A Keisha and my son, yup.

21 Q Okay. Still cutting hair at your Uncle Earl's?

22 A Still cutting hair at my Uncle Earl's.

23 Q All right. And you were about to tell us there came a
24 point in time when you guys moved from the West Chester
25 apartment?

Coles - Direct

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1 A Yeah, to Chester.

2 Q Okay. When was that?

3 A Probably about, some time in '95.

4 Q And where'd you move to in -- you said it was Chester,
5 right?

6 A Yeah, Chester.

7 Q Where'd you move to in Chester?

8 A I forget the name of the -- matter of fact, it's Park
9 Terrace, I think the name of it was.

10 Q And what are you doing to make a living during this time
11 period?

12 A I was still cutting hair and I was selling weed too.

13 Q Okay.

14 A Right.

15 Q When you say selling weed, what do you mean by that?

16 A I was selling marijuana.

17 Q What quantities?

18 A \$10, \$20 bags.

19 Q Where were you selling it at?

20 A Everywhere, just in my beeper. You know, give people my
21 beeper number.

22 Q Okay.

23 A Yeah.

24 Q All right. And --

25 A Between Darby and Philly and not really Chester. I just

Coles - Direct

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1 lived out there.

2 Q And to whom were you selling?

3 A Anybody that smoked weed.

4 Q Okay. Well, tell me how it worked. Did people come up
5 and say sell me some weed?

6 A Yeah, I didn't really stand on no corners and sell weed or
7 nothing. I just -- I'm a barber. So people get their hair
8 cut. They buy weed then or if I be at the club or the bar,
9 they buy weed then.

10 Q Okay. You said you were selling small quantities?

11 A Yeah, small quantities.

12 Q What quantities would you get and then -- is it called
13 bagging up?

14 A I was, I probably was only getting like a pound of weed.
15 Not a lot. Pound of weed, a half pound of weed.

16 Q How much did a pound of weed cost at that time?

17 A At that time, like 800.

18 Q Were you making money off selling the weed?

19 A Yeah, I'd make probably like, after I bag it all up, I
20 probably make about, I don't know, 1,500.

21 Q In addition to the income you were making as a barber?

22 A Yeah, in addition to that.

23 Q All right. Now by the way, were you -- this income we're
24 talking about is cash?

25 A Cash.

Coles - Direct

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1 Q Are you filing income tax returns on this stuff?

2 A No.

3 MR. LLORET: Your Honor, what time frame, the 1,500?

4 BY MR. WARREN:

5 Q Let's start -- when you started working for your Uncle
6 Earl, I think you told us it was in 1993, 1990 --

7 A I've never paid taxes.

8 Q Okay.

9 MR. LLORET: I was objecting about the 1,500 in
10 additional income. I don't know the time frame.

11 MR. WARREN: All right. Fair enough.

12 BY MR. WARREN:

13 Q What time period was it when you were selling weed? I
14 think you told us you had moved to Chester?

15 A Since -- I was selling weed since probably, since barber
16 school. Since '94.

17 Q '94?

18 A '93. Yeah, '93.

19 Q All right. And the specific question was you said you
20 were making about \$1,500 a pound when you sold this stuff?

21 A Uh-huh.

22 Q What time period were you making the \$1,500 a pound?

23 A Between '93 and '95. I think '95.

24 Q All right. From 1993 when you're working cutting hair at
25 your Uncle Earl's --

Coles - Direct

23

1 A '96, matter of fact.

2 Q '96?

3 A Yeah.

4 Q Until like 1996, during those -- you didn't sell weed
5 forever and ever. You quit at some point, didn't you?

6 A Yeah, I quit at some point.

7 Q Okay. All right. What period -- how long were you making
8 money selling weed?

9 A I was selling weed -- I mean, I don't understand your
10 question. From '93, '94 all the way to like '96, I got
11 arrested. I got locked up.

12 Q Okay. We'll get to that. Till when?

13 A From '93 to like, till I get locked up, '96.

14 Q '96?

15 A Yeah.

16 Q All right. During that three -- and we'll get to that
17 arrest ==

18 A Uh-huh.

19 Q -- but during that three-year time period, this cache that
20 you're making from cutting hair and selling weed, are you
21 filing taxes?

22 A No.

23 Q Are you reporting any of this income to the Government?

24 A No.

25 Q What are you doing with it?

Coles - Direct

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1 A Saving it.

2 Q Okay. How much money do you think you were saving during
3 this -- we're talking about roughly a three-year time period
4 here, right?

5 A I guess, I remember when I got locked up, probably had
6 like a -- when I got locked up in '96, I probably had about, I
7 don't know 20,000, \$25,000 sitting around.

8 Q Okay. Well, let's go that. In 1990 -- when you say you
9 got locked up --

10 A Uh-huh.

11 Q -- that's how you refer to being arrested?

12 A Right.

13 Q Okay.

14 A Well, I got locked -- I caught one, I caught one case
15 in -- I can't remember if it was '90 -- I caught like two or
16 three cases in like between '94 and '95 but I was out on bail
17 for them.

18 Q Okay.

19 A And then I finally got locked up in '96, and then I
20 couldn't get out for about 10 months, 11 months, something like
21 that.

22 Q All right. Let's talk about it. You say you caught two
23 or three cases starting in 1993?

24 A Right.

25 Q All right. What happened? Tell me about the first one.

Coles - Direct

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1 Where was it?

2 A The first one -- I can't put them in order, but I could
3 tell you the three arrests though; I remember them.

4 Q That's fine; go ahead.

5 A One of them, somebody set me up in Darby. Tried to set me
6 up rather. And they came and locked me up. And I had a gun
7 and some weed on me. And a couple dollars, probably like \$600.
8 That was one arrest.

9 Q Hang on. When you say someone set you up --

10 A Right.

11 Q -- I mean, that's a conclusion. What made you come to
12 that conclusion? What facts, what occurred that made you think
13 that's what happened?

14 A Oh, when they took me to the police station, they wouldn't
15 let me in the police station because the person that set me up,
16 they was letting him out the side door. So they put me in his
17 cell, and his co-defendant that was in there let me know that
18 he just got out because I just came in.

19 Q Fair enough. So when you say you were set up, do you
20 remember what year this was?

21 A This was about '94.

22 Q '94?

23 A Uh-huh.

24 Q And you were charged with a gun?

25 A Gun.

Coles - Direct

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1 Q Weed -- what was the quantity of weed?

2 A Like maybe three bags, two bags of weed. Three bags.

3 Q Okay. What size bags were they?

4 A \$10 bags. I don't know the size. They was \$10 bags
5 though.

6 Q All right. Are those also called dime bags?

7 A Dime bags, yeah.

8 Q Okay. And they're called that because they cost \$10 to
9 buy them?

10 A \$10, right.

11 Q Okay. So you had a couple dime bags?

12 A Couple dime bags.

13 Q Weed, a gun, and was there anything else that I forgot to
14 write down?

15 A No, that's it, just weed and a gun.

16 Q All right.

17 A And money.

18 Q Now, you were let out on bail in that case?

19 A Yeah.

20 Q All right. While you were out on bail in that case, did
21 you get in trouble again?

22 A Yeah, I caught another case about -- I don't know how much
23 longer it was after, but me, my uncle and a guy named Deuce, we
24 got arrested in Darby.

25 Q Okay. When you say -- do you remember what year this was?

Coles - Direct

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1 A This was again '94.

2 Q 1994?

3 A Yeah. Probably like, I don't know, six months later, five
4 months later.

5 Q By the way, do you remember the officer, the police
6 officer that arrested you in '94?

7 A Richard Gibney.

8 Q G-I-B-N-E-Y?

9 A Yeah.

10 Q Okay. On the first case involving the gun and the weed,
11 the one where you say you were set up, who was that, Gibney?

12 A Right. Richard Gibney.

13 Q Gibney?

14 A Him and his partners, yeah.

15 Q Okay. All right. In 1994 when -- you said it was you,
16 your uncle and a guy named Deuce?

17 A Right.

18 Q Okay. Which uncle is this, your Uncle Earl?

19 A No, no, not Earl.

20 Q Okay.

21 A Rivers, John Rivers.

22 Q John Rivers?

23 A Yeah.

24 Q Is he your real uncle?

25 A Yeah, it's my mom's brother.

Coles - Direct

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1 Q Mom's brother?

2 A Yup.

3 Q Okay. And a guy named Deuce?

4 A Deuce, yeah.

5 Q What's Deuce's real name?

6 A James Haines.

7 Q James Haines?

8 A Uh-huh.

9 Q His nickname was Deuce?

10 A Yeah.

11 Q Forgot to ask you this. What's your nickname?

12 A Ace.

13 Q How did you get that nickname?

14 A I play cards real good; I gamble. So when I was little,
15 they always called me Ace, and they called him Deuce because he
16 hung with me.

17 Q Okay. So you're in the car with your uncle, John Rivers,
18 and Deuce, also known as James Haines, right?

19 A Uh-huh.

20 Q What cop pulls you over?

21 A Richard Gibney.

22 Q Tell us what happened. What happened that day?

23 A I had a rent-a-car, and I went to Earl's and got dropped
24 off. I had dropped my son's mother, Lakeisha, off at the mall.
25 Me and Deuce went to Earl's shop so I can get a haircut. I

Coles - Direct

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1 wasn't working this day; I just was getting a haircut. And
2 Jamal cut my hair. I let Deuce hold the car, and I don't know
3 where he went. I don't know if he went to Philly or just rode
4 around Darby; I'm not sure. But when I was done getting my
5 hair cut, he pulled up. I came out the barber shop and got in
6 the car. He got out the driver's seat and I got in the
7 driver's seat now. He had my uncle with him. So my uncle got
8 in the back, Deuce got in the passenger side, and I begin to
9 drive. When I got to the light, I made a right, and I seen
10 Gibney and his partner in the alleyway.

11 Q They were on foot or in a marked patrol vehicle? What
12 were they doing?

13 A They were in a marked patrol vehicle.

14 Q You recognized them?

15 A Yeah, I recognized them. They seen Deuce pull out the
16 barber shop, so they pulled in the alleyway and waited for us
17 to pull off.

18 Q Okay. Well, did you see them pull in the alleyway?

19 A I seen them drive past, and then when I made the right,
20 they was in the alleyway, so yeah.

21 Q Fair enough. All right. So you're driving?

22 A I'm driving.

23 Q And you pull past Officer Gibney?

24 A Yeah.

25 Q And then he does what, pulls out behind me?

Coles - Direct

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1 A Yeah, he pulls out right behind us. I pull over. He put
2 the lights on for us to pull over. I pull over. He pulled us
3 out the car, and when he went to pull us over, I noticed Deuce
4 panicked. He went in his pocket, and he pulled out a Tylenol
5 bottle and chucked it in the back --

6 Q Okay.

7 A -- in the back, in the back seat. And then Richard Gibney
8 pulled me out the car. Somebody else pulled Deuce out the car,
9 and he locked us all up. They locked all three of us up, and
10 then he said I found the coke.

11 Q Okay. How much, do you know how much cocaine was in -- it
12 was cocaine inside this Tylenol bottle?

13 A Yeah, it was cocaine in there.

14 Q How much -- do you know what the quantity was?

15 A Six. Six bags of powder.

16 Q What size bags were they?

17 A They was -- I don't know, they was little. They was
18 little bags of powder. Six bags.

19 Q Dime bags? Nickel bags?

20 A I don't know if they was dimes or nickels. They was his,
21 but I know the weight wasn't much because it's on my record.

22 Q Okay. So six little bags powder cocaine.

23 A Six bags of powder, yeah.

24 Q Okay. Any guns or anything like that they found in the
25 car?

Coles - Direct

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1 A No, no guns. Just money.

2 Q All right. Now, you had previously told us that you had
3 been arrested by Officer Gibney once --

4 A Uh-huh.

5 Q -- and you were out on bail for that prior case. Remember
6 that?

7 A Say that again? Yeah, I was out on bail for that prior
8 case already. Yup.

9 Q All right. Well, what was happening with the prior case
10 when you got --

11 A It still was pending; it was in the preliminary stages.

12 Q Okay.

13 A Yeah.

14 Q So what happened? You were arrested by Officer Gibney
15 again and are you given bail?

16 A Yeah. Well, what happened, we was in the police station
17 and actually Deuce called the cops because my uncle, he was, he
18 was complaining. He was made; he was pissed off, telling Deuce
19 to, you know, he telling both of us, he was like, yo, whose was
20 that? Y'all need to fess up to it. So Deuce had told the
21 officer, he said yo, that's my drugs. Can you --

22 Q Try not tell us what Deuce said. Just tell us --

23 A All right.

24 Q -- what happened, okay?

25 A All right.

Coles - Direct

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1 Q Did you get bail in that case?

2 A No, I didn't get bail in that case.

3 Q Okay.

4 A Yeah, I got bail. I got bail.

5 Q All right.

6 A Yeah.

7 Q You were out on bail?

8 A I was out on bail; I got on bail.

9 Q Okay.

10 A Probably like the next day.

11 Q Okay. And were those the only two cases you picked up in
12 Delaware County?

13 A No, I picked up one more. One was I got in a high speed
14 chase, and they found one bag of crack, I believe.

15 Q Okay. And when was that?

16 A That was -- all of them, all three of those cases was in
17 '94. I caught them all back to back, between the end of '93
18 and '94.

19 Q Okay. Now, did you get bail on the third case?

20 A Yeah, I had bail on all of them.

21 Q All right. That was one bag of crack, you say?

22 A Yeah.

23 Q Where'd you get that from?

24 A I forget where I got it from, but well, I was, I wasn't in
25 the car by myself anyway.

Coles - Direct

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1 Q Okay.

2 A I was in the car with somebody else.

3 Q All right. Were you driving the car?

4 A Yeah, I was driving.

5 Q Okay.

6 A So that's why I wore the charge.

7 Q Okay.

8 A Yeah.

9 Q Okay. When you said you were in a high speed chase --

10 A Yeah.

11 Q Okay. Were you?

12 A Yeah, I was in a high speed chase.

13 Q Okay. Why'd you get in a high speed chase with the
14 police?

15 A This time wasn't Gibney, it was another cop tried to pull
16 us over. And when I went to pull over, the guy I had in the
17 car, he said man, I got, I'm dirty. And I said you going to
18 eat it? He said no, I ain't going to eat it. And I wasn't
19 going to pull over because I was already out on bail for a
20 couple cases, so --

21 Q Okay.

22 A -- I tried to get in a high speed chase for him to get
23 out, but he couldn't get out so we got caught.

24 Q All right. So what happened after you were arrested on
25 this third case?

Coles - Direct

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1 A Bail.

2 Q All right. Now, these are all Delaware County cases?

3 A Yeah, all Delaware County.

4 Q Are you still working at the time?

5 A Yeah.

6 Q What are you doing to make money?

7 A Cutting hair.

8 Q Still selling weed, or have you stopped?

9 A Still selling weed.

10 Q Okay.

11 A Still selling.

12 Q All right. Now, these three cases --

13 A Right.

14 Q -- what eventually or ultimately happens to them?

15 A I had a warrant for them. I never went to Court. After I
16 caught, after I had so many of them, them three cases all
17 together, I just didn't go to Court. I stopped cutting hair
18 out Darby, period.

19 Q Okay. Where did you go after you stopped cutting hair in
20 Darby?

21 A I went back to Philly and back and forth between Philly
22 and Chester.

23 Q Okay.

24 A Uh-huh.

25 Q And why were you going back and forth to Chester?

Coles - Direct

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1 A I lived there with Keisha.

2 Q Okay. And your son?

3 A And my son was just being born, yup.

4 Q Okay. All right. Does there come a point in time when
5 you move out of, stop living with Keisha?

6 A I stopped living with Keisha around '96 some time.

7 Q Okay.

8 A Yeah.

9 Q All right. Is this around the time period that you told
10 us you stopped selling weed?

11 A Yeah, I -- well, I never really stopped selling weed. I
12 just, what it was, I got locked up.

13 Q Okay.

14 A I never really stopped. I always hustled weed and even
15 cocaine at times. But I got locked up like around '96.

16 Q Okay. When you say you got locked up, that means you were
17 actually put in jail?

18 A Yeah, I got put in jail.

19 Q Okay. Is that different than the Delaware County cases?

20 A Yeah, that's different from the Delaware County case.

21 Q Okay. All right. Does this involve something that
22 happened in Jersey?

23 A Yeah.

24 Q All right. Did that involve a woman named Lorraine Baker?

25 A Yeah.

Coles - Direct

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1 Q All right. You living with Keisha; you have a son?

2 A I'm living with Keisha; I had a son, yeah.

3 Q All right. Tell us about this Lorraine Baker woman. When
4 did you meet her?

5 A I met her around '95. Yeah, around '95.

6 Q How did you meet her?

7 A Through a friend, a mutual friend.

8 Q Where'd you meet her at?

9 A I met her -- I forget. It might have been at a movies or
10 at the Plateau at Fairmount Park.

11 Q Right. Did you become -- were you still living with
12 Keisha at this time?

13 A Yeah, I was still living with Keisha.

14 Q Did you become romantically involved with Lorraine
15 Baker --

16 A Yeah.

17 Q -- while you were living with Keisha?

18 A Yes, I did.

19 Q Okay. And when was this? When did this start? When did
20 your romantic relationship with Lorraine start?

21 A '95.

22 Q '95?

23 A Yep.

24 Q Where was Lorraine living at this time?

25 A Chester.

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1 Q Chester?

2 A Uh-huh.

3 Q All right. So you're seeing -- did you have any children
4 with Lorraine?

5 A Not yet, but yeah, I got children with her now.

6 Q Okay.

7 A Not in '95.

8 Q Okay. Well, are you still working cutting hair in '95?

9 A Cutting hair, yeah. I'm not in the barber shop no more.
10 I'm not at Earl's. Just cutting hair and hustling --

11 Q Okay.

12 A -- to make a living, yeah.

13 Q All right. You told us that you got in trouble in New
14 Jersey, and it was Lorraine Baker with you?

15 A Right.

16 Q Okay.

17 A Yeah.

18 Q You had the three cases in Delaware County, right?

19 A Right.

20 Q And then you get in trouble in New Jersey?

21 A Right.

22 Q Tell us what happens in New Jersey where you get in
23 trouble. What year is this, '96?

24 A This is '96, I believe. I remember 'cause it was her
25 birthday.

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1 Q '96 would mean you'd been seeing Lorraine for about how
2 long?

3 A I met her in '95, so a year later.

4 Q Okay. Well, what happened?

5 A We went to Atlantic City. It was her birthday. And when
6 we left -- we went down Atlantic City, and I gambled. We left
7 Atlantic City and went to the Feather Nest Inn, a hotel in, a
8 motel in Jersey. And we pulled in the hotel -- well, before I
9 went there, I switched, I had switched cars with my cousin. He
10 had a rent-a-car. And I let him hold my car.

11 Q All right. This cousin's name is what?

12 A Jervis Pringle.

13 Q Now, is he really your cousin?

14 A No, he not my blood cousin. We just grew up together --

15 Q Okay.

16 A -- since we was young.

17 Q In the Paschall area?

18 A That's where I know him from. His mom hangs with my aunt,
19 yeah.

20 Q Okay. So how -- you had known Jervis for how long?

21 A I'd known Jervis all my life.

22 Q All right. So you had switched cars -- I think you were
23 telling us you had switched cars with Jervis?

24 A Yeah, I switched cars with him. I let him hold my car and
25 he let me hold his rent-a-car.

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1 Q All right. Well, what kind of car were you driving back
2 in 1996?

3 A I had a BMW 733, I think.

4 Q How'd you buy -- did you buy that or finance it? How did
5 you get the BMW?

6 A It was used. I just brought (sic) it.

7 Q Just bought it?

8 A Yeah. I paid like, I don't know, \$1,800 for it.

9 Q Okay.

10 A Fixed it up.

11 Q Okay. And Jervis has a rental car?

12 A Yeah, Jerv had a rental car.

13 Q Why did you guys or why did, if you know, why did you guys
14 swap cars?

15 A Well, I didn't want to drive the, my BMW. I didn't have
16 no license, and Lorraine license was suspended. So I let him
17 hold my car 'cause my car had rims and all that, rim system,
18 everything on it. It was too flashy, so I let him hold my car
19 to hold his rent-a-car so I wouldn't get pulled over.

20 Q And what kind of rental car did he have?

21 A A Dodge Intrepid.

22 Q A more conservative vehicle?

23 A More conservative, yeah.

24 Q All right. You told us that you had gone to Atlantic
25 City?

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1 A Yeah, we went to Atlantic City.

2 Q To gamble?

3 A To gamble.

4 Q Had you made any money?

5 A Yeah, I made like 3,000, plus I still had like -- I made
6 like four, 5,000 altogether. But I cashed out 3,000 and kept
7 like 20 \$100 chips in my pocket.

8 Q What kind of games did you like to play in Atlantic City?

9 A Blackjack and craps.

10 Q Were you good at it?

11 A I'm great at it.

12 Q And you told us it was Lorraine's birthday?

13 A It was Lorraine birthday.

14 Q And you guys were at the Feather Nest Inn?

15 A Right, the Feather Nest Inn.

16 Q So what happens -- and who's driving by the way?

17 A Lorraine.

18 Q And this is the car that Jervis has rented?

19 A Right.

20 Q And what happens? Tell us what happens at the Feather
21 Nest Inn.

22 Q What happens is we go inside to rent the room, and a New
23 Jersey street (sic) -- I don't know if it was a state trooper
24 or just a regular patrolman, he pulled past the car and I was
25 drinking a Heineken. So he seen the Heineken bottle sitting in

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1 the console. So when we went back to the car and got in the
2 car, he pulled us over.

3 Q And what happened when he pulled you over?

4 A When he pulled us over --

5 Q I'm sorry. Who was driving? Was Lorraine still driving?

6 A Lorraine's still driving.

7 Q Right.

8 A Well, we was in the parking lot at this time, so we just
9 got in the car to pull from the front of the hotel into our
10 room. We rented a, one of the, the theme rooms.

11 Q Theme rooms?

12 A Yeah, theme room.

13 Q Okay.

14 A Like the ice cave or something. I forget.

15 Q Okay. Okay.

16 A But when we pulled in front of the hotel room, the cop
17 pulled his lights and pulled us over.

18 Q All right. So what happens when the cop pulls you ver?

19 A He come to the car. He asked Lorraine for her license and
20 registration. She told him she didn't have it. She lie and
21 told him she didn't have it, and she used her sister name,
22 Sandra. And she dropped her license between her lap so he
23 wouldn't find it because after he, she told him she didn't have
24 her license on her and gave her (sic) the name, he asked her to
25 step out the car. So when she stepped out the car, he seen her

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1 license on her seat.

2 Q And he knew she had, she hadn't been straight with him
3 about the name?

4 A Right.

5 Q So then what did he do?

6 A He asked me to step out of the car also. And he had us
7 both sit on the curb. And then he searched the vehicle.

8 Q What did he find inside the car?

9 A He found 14 bags of crack.

10 Q What size bags were these?

11 A I don't know if they was 5 or \$10 bags, but they was
12 little.

13 Q Okay. So this is 1996, right?

14 A Right.

15 Q Twelve years ago?

16 A Yeah, I guess, yeah.

17 Q All right. And they find 14 little bags of crack?

18 A Yup.

19 Q And in 1994, they found you with six little bags of crack?

20 A Right.

21 Q Okay.

22 A No, no. Six little bags of powder. That was powder.

23 Q I'm sorry, powder.

24 A Yeah.

25 Q One little bag of crack on the high speed chase thing?

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1 A Right.

2 Q Okay. Okay. So go on. What happens to you, you and
3 Lorraine in New Jersey. Are you both arrested?

4 A Yeah. Well, right there, he came to the car and said I
5 found crack, and somebody got to take a charge. So I told him
6 lock me up then because she was pregnant at the time. And when
7 he went to lock me up, she got emotional. She wouldn't let him
8 arrest me, start crying and trying to hug me. And he called
9 for back-up and he locked her up too.

10 Q So both of y'all got locked up?

11 A Yeah, he locked us both up.

12 Q All right. Now, what name -- when you got arrested in New
13 Jersey --

14 A Uh-huh.

15 Q -- did you still have, did you know you had warrants
16 outstanding from Delaware County?

17 A Yeah, I knew I had 'em.

18 Q What name did you give them in Delaware County when you
19 were arrested?

20 A Delaware County? I used my name; every -- they know me.

21 Q Okay. Well, what name did you give them?

22 A Alton Coles.

23 Q Alton Coles?

24 A Right.

25 Q Right. Did you give them that same name when you were

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1 arrested in New Jersey?

2 A No, I didn't.

3 Q What name did you give them when you were arrested in New
4 Jersey?

5 A I gave them my middle name, Lamar, and my father's last
6 name, Johnson.

7 Q Lamar Johnson?

8 A Right.

9 Q Why didn't you give -- excuse me -- why didn't you give
10 them your real name?

11 A Because I ain't want to be stuck from the bench warrants
12 that I knew I had in Delaware County.

13 Q All right. Now, what happens? Both you and Lorraine are
14 taken down to the police station?

15 A Yeah, we both took down to the police station. I told
16 the, one of the officers when they was fingerprinting us and
17 stuff, I asked them to let her go, what did he, what'd he
18 arrest her for? And he said I got to arrest both of y'all. So
19 I said, I explained my situation to him, let him know I was a
20 barber and all that. And he felt sorry for us so he, he said
21 well, look, I can't let her go. I got to arrest you because it
22 ain't my car, I didn't arrest you. But what I will do, I'll
23 let you use your money that you have on you for her to bail out
24 tonight.

25 Q All right. So Lorraine got bailed out of jail?

Coles - Direct

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1 A Yeah, she bailed right out that night.

2 Q You got locked up?

3 A I got locked up.

4 Q How long did you -- did you ultimately make bail in that
5 case?

6 A I made bail, but I didn't go home to the street. I made,
7 I made bail for Jersey about a month or two later, about two
8 months later. And then I got transferred to Delaware County
9 Prison.

10 Q Okay. On those three prior cases you told us about?

11 A Right.

12 Q All right. And you had pending charges in -- what were
13 you charged with in New Jersey?

14 A The 14 little bags of crack that he found --

15 Q Yeah.

16 A -- in the ashtray.

17 Q Okay, okay. So you were charged with drug offenses in New
18 Jersey?

19 A Right.

20 Q All right. And you got bail. They just wouldn't let you
21 go because Delaware County also wanted you?

22 A Exactly.

23 Q And how long were you held in New Jersey?

24 A I was held in New Jersey for two months, and then I got
25 transferred to Delaware County because I posted bail. And then

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1 I stayed in Delaware County for about -- I don't know -- I
2 think seven or nine months.

3 Q All right. What year are we in now?

4 A We in '97.

5 Q 1997?

6 A Right.

7 Q All right. Did you ultimately resolve the three cases
8 that you had in Delaware County?

9 A Yeah.

10 Q Well, go ahead. How'd you resolve them?

11 A I got sentenced by Judge Surrick.

12 Q Same Judge Surrick sitting there?

13 A Yeah.

14 Q All right. You had all three of your cases put -- what
15 did Judge Surrick give you, by the way?

16 A He gave me -- I believe it was work release.

17 Q Oh, by the way, he wasn't a federal judge at that time,
18 right?

19 A No, he wasn't a federal judge at the time.

20 Q He gave -- do you recall what he gave you?

21 A He gave me work release. I got one less, one year less a
22 day. So it was a county sentence. And he gave me immediate
23 work release.

24 Q Okay. And so you took it -- that took care of all three
25 cases?

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1 A That took care of all three cases.

2 Q And I think there's a stipulation -- there's 11-1/2 months
3 or something like that --

4 A Right.

5 Q -- whatever it was.

6 A 11-1/2, 23 months. Something like that, yeah.

7 Q Something like that. When you say it's a county sentence,
8 what do you mean by that?

9 A That mean I was able to do the sentence in the county
10 instead of going to a state facility.

11 Q Yeah, I understand. Yeah, like a state prison, right?

12 A Prison, yeah.

13 Q Okay. Okay. How much time did you spend doing this
14 county sentence?

15 A I only spent like -- I forget, maybe seven or eight
16 months. What it was, Lorraine had had -- she was pregnant when
17 we got locked up. So she had the baby while I was in prison.

18 Q Right.

19 A My son, Naail, was about a month or two old, so that's why
20 I got work release because they was going to allow me to work
21 at the barber shop to provide for my son.

22 Q Okay. Were you allowed to work at the barber shop?

23 A No. The prison, they didn't allow you to work at the
24 barber shop because you don't get checks. So they don't know
25 exactly how much to take from you a week. So Judge Surrick cut

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1 me loose early my lawyer told me.

2 Q Okay. So you could go to work?

3 A Right, so I can go to work.

4 Q All right. Now, you said your child with Lorraine has
5 been born?

6 A Right.

7 Q What's his name?

8 A Naail. That was actually my second child by her.

9 Q That was your second child by Lorraine?

10 A Yeah. My first child was Narah.

11 Q Okay. Was Naaiil - N-A-I-L-L, right?

12 A N-A-A-I-L, that's Naail, yup.

13 Q Okay. And that's a son?

14 A That's a son.

15 Q And your first child with Lorraine, when was that child
16 born, '96?

17 A No, she was born '95 or '96. I'm not even sure.

18 Q Okay. What's her name?

19 A Narah.

20 Q I'm sorry?

21 A Linarah.

22 Q Can you spell that?

23 A Her first name is Sadee, S-A-D-E-E.

24 Q S-A-D-E-E?

25 A Linarah, L-I-N-A-R-A-H.

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1 Q A-H. All right. So you had two children by Lorraine --

2 A Right.

3 Q -- by 1997?

4 A Right.

5 Q Okay. What's happened to Keisha at this point?

6 A Me and Keisha split up like around '96, I think.

7 Q You split up with Keisha before or after you got arrested
8 in New Jersey?

9 A Yeah, before. Before Jersey.

10 Q Okay.

11 A Yeah. We split up.

12 Q All right. If you, if you're allowed to let go on work
13 release, where did you -- did you go to work?

14 A Yeah, I went to -- I never went for work release.
15 Remember, I told you the --

16 Q Right.

17 A Yeah.

18 Q But you -- I think you also told us that because they
19 wouldn't, the prison wouldn't let you out?

20 A Yeah. Because they don't know exactly how much to take
21 from your check.

22 Q Right. It was your understanding that your sentence got
23 lowered and you were allowed to get out of jail?

24 A Right.

25 Q All right. So you could work?

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1 A Right.

2 Q Did you go to work?

3 A Once I got out?

4 Q Yeah.

5 A Yeah.

6 Q All right.

7 A Yeah. Once I got out, I went to work.

8 Q All right. Now, are you living with Lorraine at this
9 point?

10 A No, she was living with her mother.

11 Q All right. When you get out, where do you go to live?

12 A I go to stay with my mother for like two months I think I
13 stayed there.

14 Q All right. Well, where's your mom living?

15 A My mom lived in West Philly.

16 Q Where in West Philly?

17 A On, right off 52nd Street.

18 Q Okay. You lived there for a couple months?

19 A Yeah, I lived there for like two months and then I got an
20 apartment right down the street on 45th and Pine.

21 Q Okay. Where's Lorraine living at this time?

22 A She's still living with her mom.

23 Q With the two kids?

24 A Yeah.

25 Q Remember the address on Pine Street?

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1 A 4514 Pine Street.

2 MR. WARREN: Agent Tropea, do we have Exhibit 2, both
3 counts?

4 THE WITNESS: That's it.

5 BY MR. WARREN:

6 Q That's it? That's where you were living with Lorraine?

7 A No, Lorraine wasn't living there. I was living there; she
8 just come visit.

9 Q Okay. What year were you living there? That's -- for the
10 record, that's Government's Exhibit number 2.

11 A I was living there in -- what's that, '97.

12 Q Okay. Now, where are you --

13 A Actually, prior before me, prior before me going to jail,
14 I was living here too.

15 Q Okay.

16 A Yeah. And that's why my mom, I let my mom have the
17 apartment, and then when I got out of jail, I went back and
18 stayed there with her.

19 Q Okay.

20 A Yeah.

21 Q You also said you were working at this time period?

22 A Right.

23 Q All right. How much total time did you spend in jail?
24 Because you said you did two months in New Jersey.

25 A I got locked up in December of '96, December 29th, and I

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1 got out August 27th.

2 Q August 27th?

3 A Yeah.

4 Q 1997?

5 A Yup.

6 Q Okay. So that's around what -- eight, nine months?

7 A Yeah, total. Something like that.

8 Q Okay. Was that the only time period -- you know, put
9 aside this present case, all right, but is that the only time
10 period you've spent in jail in your life?

11 A Yeah, that's it.

12 Q Eight, nine months?

13 A Yup.

14 Q All right. When you get out of the Delaware County jail,
15 live with your mom for a couple months?

16 A Yeah. I lived with her.

17 Q Your mom's still living in this place on Pine Street?

18 A Yeah.

19 Q All right. So how long did you live there?

20 A We stayed there for about -- I met Kris about couple
21 months later, like November or October. So then I started --
22 we, me and her was friends, so I started staying there more.
23 So I stay, I started staying with Kris more. I stopped living
24 with my mom maybe like '98. I still always lived at there; I
25 just never stayed home.

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1 Q I hear you.

2 A Yeah.

3 Q Okay. You still got that New Jersey case, don't you?

4 A Pending, yeah. I'm out on bail for it.

5 Q You're out on bail for that New Jersey case?

6 A Yeah.

7 Q What are you doing about that -- know what an open case
8 is?

9 A Well, I didn't know it -- actually, at first, I thought
10 all of the cases was done, but then I got notified that I had
11 to appear in New Jersey Court, so I knew I had to deal with the
12 New Jersey case again, yeah.

13 Q Okay. All right. So what were you doing, if anything, to
14 deal with the New Jersey case?

15 A I was going to Court for it.

16 Q Okay.

17 A Yeah.

18 Q Okay.

19 A Up until like '98.

20 Q Okay. What are you doing -- you're going to Court for the
21 New Jersey case, and we'll get to the part where you stop
22 going.

23 A All right.

24 Q Are you seeing both Lorraine -- and when you say Kris, do
25 you mean Kristina Latney?

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- 1 A Yeah, Kristina Latney.
- 2 Q So this is around 1998?
- 3 A No, '97 I met Kristina Latney.
- 4 Q All right. And where's Kris living at this time?
- 5 A 5856 Cedar Avenue.
- 6 Q Her mom's house?
- 7 A Her grandma house.
- 8 Q Her grandmom's house?
- 9 A Yeah.
- 10 Q All right. So you're seeing Kris?
- 11 A Right.
- 12 Q And Lorraine?
- 13 A Lorraine was my girlfriend, yeah. Kris was just a friend
- 14 at the time.
- 15 Q Okay.
- 16 A Yeah.
- 17 Q Where are you working? What are you doing to make money
- 18 during this time frame?
- 19 A I'm still cutting hair and at this time, I wasn't hustling
- 20 no more.
- 21 Q Okay. Why?
- 22 A Because I just had did the nine months and I had a case
- 23 pending so I wasn't trying to get locked back up no more.
- 24 Q Okay. All right. Do you know a place called Outlines?
- 25 A Yeah.

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1 Q Tell the jury what Outlines was. Now, this is around
2 1998, right?

3 A Yeah.

4 Q All right.

5 A Outlines is a barber shop that I opened up around -- I
6 think I got it, the space like around December or, around the
7 time I met Kris. I might have had it in November. I can't
8 recall. But I was fixing it up. I had to paint and, you know,
9 put the chairs and all that stuff in there.

10 Q Okay. Do you remember what the address -- where was
11 Outlines located?

12 A Outlines One was in Chester.

13 Q Do you remember what street it was on?

14 A Third Street.

15 Q Remember what the address was?

16 A I can't -- I think 2820 West Third Street. I'm not sure.

17 MR. WARREN: Agent Tropea, can we see Exhibit 11,
18 please.

19 THE WITNESS: Yeah, that's it.

20 BY MR. WARREN:

21 Q All right. Now when you say that's it, you're looking at
22 what?

23 A I'm looking at the building with the awning that I put up,
24 the Outlines awning.

25 Q See down there in the right-hand corner, where it says

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1 Government's Exhibit 11?

2 A Not -- that one is the day care that I had next door to
3 it.

4 Q Let me just point out what I'm talking about here. See
5 this right here, Government Exhibit --

6 A Yeah, Government Exhibit --

7 Q Okay. So the actual photograph, the exhibit you're
8 looking at is number 11.

9 A Right.

10 Q Okay. So you told us that Outlines is depicted in this
11 photograph?

12 A Right.

13 Q All right. Which building is it? Is it to the left or
14 the right of that vacant lot?

15 A To the left.

16 Q And is that the one with the awning?

17 A Yeah, the awning.

18 Q Now, this picture, is that the condition the building was
19 in when you first opened up the barber shop there?

20 A No, I had to do that to it.

21 Q All right. What did -- well, let me ask you this. Did
22 you -- how did you get this place to even start a barber shop?
23 How did that happen?

24 A Jerv's, Jerv's mother -- Jerv's little sister, her father
25 owns that building right there and the building next to it. I

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1 had a day care in it. He owned both of those buildings. And
2 he used to rent it to a girl that had a hair salon in there,
3 and she moved her hair salon, so he just had the space open but
4 it didn't have no chairs. It needed work done, so I rented the
5 chair -- I rented the space from him for \$400 a month and fixed
6 it up, made it a barber shop.

7 Q All right. And how much money did you spend fixing it up
8 to make it into a barber shop?

9 A Altogether?

10 Q Yeah.

11 A I don't know, maybe, maybe like 8,000.

12 Q Where'd you get the money that you used to fix the place
13 up?

14 A I already had it. As I told you, in '96, I already had
15 about 20,000, 25,000 laying around.

16 Q Okay. All right. Now --

17 A I used a lot of that for legal fees and stuff though so,
18 but I still had about 10 grand when I came home.

19 Q Okay.

20 A Yeah.

21 Q All right. Now, and to have a barber shop, you got to
22 have barber chairs?

23 A Yeah, you got a barber chair. I had to go out and buy
24 barber chairs.

25 Q Where'd you get them at?

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1 A I got them at, on McDade Boulevard at a barber supply
2 store.

3 Q How much did they cost?

4 A They cost me around 500 a chair. I bought six of them.

5 Q How long did it take you to get the place fixed up such
6 that you could actually open it as a barber shop?

7 A Took me about two months. It didn't take long. About two
8 months.

9 Q Now, you remember your friend, Deuce?

10 A Yeah.

11 Q James Haines?

12 A Exactly.

13 Q Was he involved in the barber shop business in Chester
14 with you?

15 A Yeah. He went to barber school with me, too. Yeah.

16 Q Okay. So what was the relationship, if any, that the two
17 of you guys had with respect to this barber shop?

18 A Well, Deuce actually had finished barber school, so he had
19 his barber's license and he had his teacher's license too, and
20 a manager license.

21 Q Okay.

22 A So that's why I opened the shop up, because he had all, he
23 had the teacher and the manager license and a barber license,
24 so I opened the barber shop for both of us to cut hair in it.

25 Q Okay. How many barber chairs were in there?

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1 A Six.

2 Q All right. And did you have to pay rent on this building,
3 by the way?

4 A Yeah, I paid \$400 a month.

5 Q And who were you paying the rent to?

6 A To Dell Arnold.

7 Q And who's he?

8 A That was my landlord. And --

9 Q Related to Jervis? Or no?

10 A He ain't related -- he's Jerv's mom's ex-boyfriend.

11 Q Okay. All right. I'm sorry. How much did you say you
12 were paying?

13 A \$400 a month.

14 Q \$400 a month?

15 A Right.

16 Q All right. And did you say it had six chairs in there?

17 A Yeah, I had six chairs in there.

18 Q You would use one of the chairs?

19 A Yeah, I would use one of the chairs. I would, I had one
20 chair that I cut; it was my chair. Deuce had a chair. And
21 then I had four other chairs.

22 Q Do you know how Deuce got his nickname?

23 A How he got his nickname?

24 MR. WARREN: All right. I'll move on, Judge.

25 BY MR. WARREN:

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1 Q All right. Deuce had a chair? Was Deuce paying you rent
2 or no?

3 A Yeah, Deuce paying me rent.

4 Q How much is Deuce paying you for use of the chair?

5 A Deuce paid me \$125 a week.

6 Q All right. Did you also -- so that's two chairs. Did you
7 also rent out the four other chairs?

8 A Yeah. I rented the other chairs out too.

9 Q All right. All four of them?

10 A Two or three chairs would be empty at times, but I rented
11 all, I rented all six chairs out, yeah.

12 Q Okay.

13 A But I might fall short of a barber here and there, yeah.

14 Q Barbers tended to come and go?

15 A Right, right.

16 Q Okay.

17 A But it was four of us that stayed in there strong. That
18 was me, Deuce, Kasid and Shad.

19 Q Okay. Do you know how to spell Kasid?

20 A No. I don't know how to spell it.

21 Q Okay. How about Shad?

22 A S-H-A-D, I guess.

23 Q Okay. Were you charging -- you charged Deuce 150 a week.
24 Was it a week or a month?

25 A 125 a week.

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1 Q A week?

2 A Yeah.

3 Q All right. And how much did you charge the other two
4 guys?

5 A I was charging them 175 first, then I went down to 150.

6 Q 150, and this is weekly?

7 A Yeah, weekly.

8 Q All right. So monthly, how much were you making at the
9 barber shop just for renting the chairs?

10 A Let me see. 150 -- yeah, let me see that.

11 MR. WARREN: May I approach, Judge?

12 THE WITNESS: Yeah, please.

13 THE COURT: Yes.

14 BY MR. WARREN:

15 Q By the way, are you the one who mis-added the numbers on
16 that 10-day report that Agent Tropea pointed out?

17 A Yeah. Only one time.

18 Q All right.

19 A 600.

20 Q So you were pulling in about 600 a month --

21 A No, 600 a week on the chairs.

22 Q 600 a week on chairs?

23 A Yeah.

24 Q Multiplied by four would be what?

25 A 2,400.

Coles - Direct

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1 Q Okay. Now, that's 2,400 bucks, and you're paying 400 a
2 month in rent?

3 A 400 a month.

4 Q All right.

5 A That didn't include my chair though.

6 Q I -- we're getting to that.

7 A All right.

8 Q So netting out the \$400 expense --

9 A Right.

10 Q -- how much rental income did you get, about 2,000 just
11 for renting the chair?

12 A Yeah, just for renting the chairs.

13 Q All right. Now, you're also making money cutting hair?

14 A Right.

15 Q How much money are you making?

16 A Anywhere then from about 1500 to 2,200 a week sometimes

17 Q Okay. How can you make that much money cutting hair?

18 A At this time, people started getting died. They started
19 getting more than just haircuts about 25, \$30 a head that I was
20 getting.

21 Q All right. Well, were you cutting men's and women's hair
22 or just men's hair?

23 A Just men's. I cut some women's though, but not a lot.

24 Q Okay. So how much would you charge a man to cut his hair?

25 A Anywhere from 25 to \$50.

Coles - Direct

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1 Q Okay. And how much could you make a day charging -- I
2 mean, was -- how many people tended to come to this barber
3 shop?

4 A We stayed, we stayed crowded. We stayed packed,
5 especially Thursday, Friday, Saturday. Be a full house all
6 day.

7 Q So how much did --

8 A We used to cut till like -- we ain't close till like -- we
9 actually got in trouble because we used to ain't close
10 sometimes till like 1:00 in the morning, 12:00 in the evening,
11 midnight.

12 Q How much a day on average were you making by -- how many
13 days a week was this place open?

14 A Monday through Sunday, every day.

15 Q Seven days a week?

16 A Sundays we would take off sometime unless it was
17 appointments.

18 Q How much money a day do you think you were making back
19 then cutting hair?

20 A A day?

21 Q Just your chair?

22 A My chair? Monday, Tuesdays and Wednesdays would be like,
23 I don't know, anywhere between \$150 --

24 Q A day?

25 A Yeah.

Coles - Direct

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1 Q Okay.

2 A \$150. But Thursday, Friday and Saturday, I mean,
3 Thursday, I might make \$300. Friday, I might make between four
4 and \$600. Saturday the same. It would vary on days.

5 Q Well, how much do you think on average you were pulling
6 in -- this is all cash, right?

7 A Cash.

8 Q Nobody's coming to you with -- it's all cash, right?

9 A All cash.

10 Q All right. How much do you estimate that you were making
11 on average a week cutting hair at your chair?

12 A Average, weekly average?

13 Q Yeah.

14 A I would keep it at -- average, I would say, I don't know,
15 1,500 a week.

16 Q Okay.

17 A Average.

18 Q So that would be what a month, 6,000?

19 A Right.

20 Q Added to the 2,000 that you got from renting the chairs
21 out to the other three fellows, that would be about 8,000 a
22 month?

23 A Right.

24 Q In cash?

25 A Yeah.

Coles - Direct

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1 Q Okay. And you already told us your rental expense for
2 this place was \$400?

3 A 400 bucks, yeah.

4 Q All right. So what other expenses do you have at this
5 time period? We're talking 1998.

6 A I had -- me and Lorraine had got an apartment.

7 Q You and who?

8 A Lorraine.

9 Q Okay. Now, where did -- when was this?

10 A '98, I think we moved in around January of '98.

11 Q Okay. When you say moved in, where did you move into?

12 A We moved into Korman Suites.

13 Q Where at?

14 A On Penrose and Island Avenues. Penrose, Penrose, near
15 Penrose Plaza.

16 Q Penrose and Island Avenue, Philadelphia?

17 A Island Avenue, yup.

18 Q Southwest Philadelphia?

19 A Southwest Philly.

20 Q All right. All right. That's around 1998?

21 A Yeah, that's around '98.

22 Q And you still just have two kids by Lorraine?

23 A Yeah, I got two kids by her now, yup.

24 Q Okay. I'm sorry. Were you living there with Lorraine or
25 Kris?

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1 A No, Lorraine.

2 Q Lorraine?

3 A Right.

4 Q Okay. What's going on with Kris at this time?

5 A Kris was just -- at that time, she just was a side
6 girlfriend.

7 Q All right. Is -- where was Kris living at this time
8 period, her grandmom's place?

9 A Yeah, her grandmom's.

10 Q Cedar Avenue?

11 A Yeah.

12 Q All right. So you've got Outlines in Chester?

13 A Right.

14 Q You've got Kris -- do you have any children with Kris at
15 this time period?

16 A Not at this time, no.

17 Q You've got a place at the Korman Suites with two kids and
18 Lorraine?

19 A Right.

20 Q All right. How are things going for you at this time?

21 A At this time, things was going swell. It was all right at
22 this time.

23 Q All right.

24 A I was cutting hair at the barber shop.

25 Q All right. How much money were you paying for the place

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1 at Korman Suites?

2 A I was paying I think 700, \$700, something like that.
3 Seven, maybe 750, 700.

4 Q Still driving the BMW or do you have something else?

5 A I had a Acura Legend.

6 Q What was the expense you had to pay on that?

7 A About 400 a month.

8 Q Any other expenses that you had at this time that had to
9 come off the 8,000 you were making from just the hair cutting
10 side of it?

11 A Lorraine car.

12 Q How much was Lorraine's car?

13 A Like, I don't know, 100, \$200 a month. Maybe \$160 a
14 month.

15 Q Okay. That's about 700, 400, 200 -- 1,300 give or take?

16 A Uh-huh.

17 Q Okay. And that would come out of the eight -- we already
18 netted the 400 you paid in rent for the --

19 A Right.

20 Q -- barber shop out.

21 A Right.

22 Q Well, let's make it easy. Let's say about 2,000 to cover
23 utilities, that kind of stuff.

24 A Right.

25 Q You would clear about 6,000 in cash a month?

Coles - Direct

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1 A Yeah. But my utilities -- yeah, I guess. My utilities I
2 used to cover with my water ice stand and the pay phone.

3 Q I got you. I got you.

4 A All right.

5 Q Conservatively, as --

6 A Right.

7 Q -- a conservative estimate would be --

8 A Yeah.

9 Q -- you're still, after paying all expenses, still pulling
10 in about 6,000 a month?

11 A Yeah.

12 Q And this is in cash?

13 A Cash.

14 Q What are you doing with this cash?

15 A I'm just saving it, stacking it.

16 Q Where are you saving it at?

17 A My house.

18 Q Where in your house?

19 A In my closet.

20 Q Did you have a safe at this time?

21 A Yeah, I had a safe then.

22 Q Okay. In Korman Suites?

23 A Yeah.

24 Q All right. Now, is this the same safe that would end up
25 on Cedar Avenue?

Coles - Direct

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1 A No.

2 Q This was a different safe?

3 A Different safe.

4 Q Where did you get this safe at?

5 A Home Depot.

6 Q Home Depot?

7 A Yeah.

8 Q Out on what used to be Delaware Avenue, that is now
9 Christopher Columbus Boulevard?

10 A I think I was to the one in Springfield though, yeah.

11 Q Okay, okay.

12 A Yup.

13 Q All right. All right, so you kept your money in the safe,
14 the cash money?

15 A Yeah, cash money.

16 Q Why did you keep it in the safe? Why didn't you open up
17 a bank account?

18 A I did open up a bank account. I just never keep money,
19 that much money in the bank account.

20 Q What's going on with your Delaware case around this time
21 period? You still showing up in Court on that one?

22 A I never had a Delaware case.

23 Q I'm sorry. I apologize. Delaware County. Your New
24 Jersey case --

25 A Jersey.

Coles - Direct

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1 Q -- what's going on with your New Jersey case?

2 A It's still pending. We -- I went to Court for it like
3 around some time in that winter of '98, maybe like, I don't
4 know, February, January, February, March. I just know it was
5 cold. It was '98 though.

6 Q Okay.

7 A And they had told me -- we went to Court that day. I had
8 a motion here, I lost it. They asked if we's going to trial.
9 And then that's when the lawyer sat us down and said if we go
10 to trial and we lose, we both going have to go to jail.

11 Q Both being who?

12 A Me and Lorraine.

13 Q Okay. And then what happened?

14 A So they -- I told my lawyer, I says see if I can plead
15 out. I'll take the charge. I'll take the time if they let her
16 go. They wouldn't let her go, but they said if he takes four
17 years flat, we'll let her get probation.

18 Q So what'd you do?

19 A I pled out.

20 Q Pled guilty?

21 A Pled guilty that day.

22 Q Okay. And that was in -- do you remember what year?

23 A That was in --

24 Q '98?

25 A Beginning of '98.

Coles - Direct

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1 Q All right. Now, when you plead guilty, are you
2 immediately sentenced?

3 A That day, I knew I pled guilty so yeah, I was sentenced
4 but I didn't have to turn in for the sentencing that day.

5 Q Okay. So and you were sentenced to four years flat?

6 A Four years flat.

7 Q Okay.

8 A Right.

9 Q All right, and you were supposed to report to jail?

10 A Yeah, I was supposed to report to jail.

11 Q Okay. And you had used the name?

12 A Lamar Johnson.

13 Q Lamar Johnson, okay. Did you report to jail?

14 A No, I didn't.

15 Q Okay. Why not?

16 A At that time, the barber shop was doing good for me, and I
17 had the apartment with Lorraine. I wasn't stable, so I was
18 like I ain't going to jail right now, so I just ain't turn in.
19 I said I'll go, I'll get her stable before I turn in and do the
20 time. I knew I had to do four years flat--

21 Q Right.

22 A -- so I figured I'll get her stable in a house and get my
23 business all situated before I turn in. And they only had gave
24 me like a week to turn myself in. Wasn't enough time.

25 Q All right. You're using the term four years flat. What

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1 does flat mean?

2 A In Jersey, at the time -- I don't know if it changed. I'm
3 not really too familiar with Jersey, but a four year flat was,
4 mean I had to do 12 months off of that four year sentence.

5 Q Before you get parole or be let out?

6 A Before you get parole, exactly.

7 Q Okay.

8 A Yup.

9 Q All right. Did there come a -- so you decided not to show
10 up in jail?

11 A Right.

12 Q Did you know what was going to happen to you when you
13 didn't turn yourself in?

14 A I knew I was going to have to do the four years flat, the
15 same sentence --

16 Q Okay.

17 A -- whenever they catch up with me.

18 Q What about warrants? Did you know whether or not warrants
19 might be issued?

20 A Yeah, I knew I had a warrant for it also.

21 Q Well, how'd you know that?

22 A Because I ain't turn in.

23 Q Right. And that is also what happened to you in Delaware
24 County?

25 A Yeah, that's what happened.

Coles - Direct

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1 Q All right. Did there come a point in time when you were
2 arrested -- you told us that the barber shop is doing pretty
3 well?

4 A Right. The barber shop was doing pretty well.

5 Q In addition to the barber shop, did you have any other
6 businesses that you were running in this building?

7 A Right next door to it, the building on the right of it
8 when you passed the yard, I actually was opening up a arcade in
9 that same property, but the city of Chester wouldn't allow me
10 to -- they figured the barber shop was already a hang-out, so
11 they wouldn't let me make it a arcade.

12 Q All right. You said it was a hang-out. What kind of
13 people would come and -- did people hang out at the barber
14 shop?

15 A Yeah. Everybody hung out at the barber shop. People --

16 Q What kind of people hung out at the barber shop?

17 A Drug dealers. People getting haircut. People from the
18 neighborhood. Everybody.

19 Q All right. And you said you tried to make the building
20 next door into an arcade --

21 A Right.

22 Q -- but there was a problem with the city?

23 A Yeah, because they figured the barber shop, and it's a bar
24 on the corner. You can't see it in this picture. The bar --
25 between the bar on the corner and my barber shop was too much

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1 of a hang-out, so they thought it was going to be a problem for
2 the arcade. So they wouldn't allow me, they wouldn't zone it
3 for me. After I already put like a 1,000 sockets in there and
4 stuff to make it an arcade, they didn't let me do it.

5 Q All right. So you ended up opening, turning it into a day
6 care?

7 A A day care center.

8 Q Did that business actually start?

9 A Yeah. Honeybee's Day Care.

10 Q What was it called, Honeybee's Day Care?

11 A Honeybee's Day Care. Lorraine ran it.

12 Q Lorraine ran it?

13 A Right.

14 Q Right. Did you guys make any money off Honeybee's Day
15 Care?

16 A At first she did. She had, she went and got all her
17 credentials to open up a day care. Went and brought the place,
18 fixed it up, put swings and all that in the yard, and she
19 opened it up. She probably had -- it was a little, it's a
20 small day care, so she only had, she was only allowed to have,
21 I believe, like 12 or 15 kids. I can't remember. I think we
22 had about 10 kids from the start, from just customers from the
23 barber shop putting their kids in the day care.

24 Q How much money would you make when it was doing well when
25 Lorraine was running it? How much money were you making?

Coles - Direct

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1 A She would charge about \$75 a kid to 150, depending on how
2 old the kid was.

3 Q Was that weekly?

4 A Yeah, weekly.

5 Q Okay. All right. How much a month do you think you guys
6 were pulling in running the day care center?

7 A I'm not too sure. Weekly, she had like 10 kids, so 10
8 times 75, 750. What's that?

9 Q Be conservative.

10 A Yeah, I'll be conservative. She'd make about \$750 a week.

11 Q Multiplied by four would give you what?

12 A 3,000.

13 Q And we can add that to the -- I think it's the 6,000 a
14 month we've netted out from the barber shop business?

15 A Yeah.

16 Q That's about 9,000 a month?

17 A Yeah.

18 Q Net of your expenses?

19 A Yeah.

20 Q Cash?

21 A Cash.

22 Q In addition to the barber shop and the day care center,
23 did you also do any other business or have any other business
24 at the barber shop?

25 A Yeah, I sold cut to the drug dealers in the neighborhood.

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1 Q Well, we'll get to that. What about water ice?

2 A Water ice, yeah, I had water ice. I had a water ice stand
3 out -- that was only in the summer though, but I had a water
4 ice stand out front of the barber shop and a pay phone.

5 Q Okay.

6 A That's it.

7 Q Well, how much did you make -- the water ice stand was
8 only in the summer?

9 A Yeah, only in the summer. Water ice stand probably make
10 about anywhere between -- water ice stand did good. Water ice
11 stand probably make about \$500, 500 to \$700 a week.

12 Q In the summer time?

13 A Yeah. About \$700 a week.

14 Q Okay. So let's say 2,800 a month for three months?

15 A Say that again?

16 Q Say -- well, you said it made about 700 a week?

17 A Right.

18 Q Four months, or four weeks would be 2,800?

19 A 2,800, yeah.

20 Q Times three for the summer would be what? 2,800 times
21 three?

22 A Almost 9,000.

23 Q Okay. Another 9,000?

24 A Yeah.

25 Q Okay. Again in cash?

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1 A Cash.

2 Q All right. Did you have to pay anybody to work the water
3 ice stand for you?

4 A I had a girl that used to sweep the shop and the shampoo
5 girl --

6 Q Right.

7 A -- she used to just, and a little, a little kid, a little
8 young kid that used to run the water ice. I used to pay them
9 about, I don't know, 150 a week. We all chip in and pay her.

10 Q Did they cost you very much money?

11 A No, nothing.

12 Q Okay. And you also mentioned the pay phone?

13 A Yeah, the pay phone.

14 Q Well, how did you, how did you -- you put a pay phone in
15 there?

16 A Yeah, I -- 'cause everybody used to hang out in the barber
17 shop, so I used to get tired of them just using the barber shop
18 phone. I went and bought a pay phone to make them use a pay
19 phone. So the pay phone would make about, about \$150 a week in
20 quarters.

21 Q Okay.

22 A Yeah.

23 Q Again all in cash, right?

24 A Yeah. In quarters, yup.

25 Q Okay. You also were in the process of telling the jury

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1 about cut. Remember that?

2 A Right.

3 Q Now at this time are you selling weed any more?

4 A No.

5 Q Are you hustling cocaine any more?

6 A No.

7 Q Cut?

8 A Cut.

9 Q When did you get involved in selling cut?

10 A Umm --

11 Q Well, tell -- what is cut?

12 A Cut is something you mix with cocaine. You stretch your
13 cocaine out with cut to make more money.

14 Q All right. Are you familiar with drug slang?

15 A Yeah, I'm familiar with it.

16 Q Are you familiar with the terminology?

17 A Yeah.

18 Q Are you familiar with the so-called, the word code words
19 have been used in this trial. Are they really code words or
20 what are --

21 A I don't call them code words. It's slang, hip --

22 Q Slang?

23 A Yeah, slang. It's just slang.

24 Q Hickey, hizzey, superman --

25 A Right.

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1 Q -- what do those words mean to you? What are they? What
2 do they represent?

3 A Different terminologies, but they all represent quantity.
4 It's just weight. You could have --

5 Q Okay. Do they represent a quantity or a specific quantity
6 of cocaine?

7 A No, they just represent quantity. You have a hickey of a
8 marijuana; you have a hickey anything.

9 Q All right. Where -- you were selling cut?

10 A Cut.

11 Q Who were you selling it to and where were you selling it?

12 A I was selling it -- I always sold it like, round like --
13 when I was in jail, when I got out in '97, that's when I said I
14 ain't going back to jail for selling no drugs.

15 Q All right.

16 A I start selling cut actually from '97. It's --

17 Q Well, who were you making your money off of at the barber
18 shop. What kind of people were they?

19 A Drug dealers.

20 Q Who were you making money off? Who was buying the water
21 ice?

22 A Everybody was buying the water ice. Kids, the kids mostly
23 in the neighborhood was mostly buying the water ice up.

24 Q All right. Well, who's using the pay phone?

25 A Customers and a lot of the dope boys used to be hanging in

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1 the barber shop.

2 Q Okay.

3 A Yep.

4 Q All right. So you decided to start selling them cut?

5 A Yeah, I was -- I already, yup, was familiar -- I already
6 was selling cut even before I opened that barber shop.

7 Q All right. Now, where did you get the cut you were
8 selling? Why did these drug dealers have to buy cut off you?
9 Why couldn't they get it themselves?

10 A The cut I had was a -- it was a special cut. It's called
11 fish scale. And it looked just like coke. It looked just like
12 cocaine. So you can't buy -- they can go buy they coke, they
13 cut from like GNC or anywhere like -- they can go anywhere and
14 buy their cut, but this specific cut, it looked just like
15 cocaine. They could actually burn somebody and act like it,
16 you selling cocaine and it be cut.

17 Q All right. When you say burn somebody, what do you mean
18 by that?

19 A Sell --

20 Q Fool them? Rip them off?

21 A Rip them off, yeah.

22 Q Make them think they're buying real cocaine?

23 A Make them think they're buying cocaine, but it ain't
24 cocaine, it's cut.

25 Q Okay.

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1 A Yeah.

2 Q And this was called fish scale?

3 A Yeah, I called it fish scale.

4 Q Where did you get it at?

5 A I got it -- I used to get it in Philly.

6 Q Where at in Philly?

7 A Off Germantown Avenue.

8 Q Germantown and what?

9 A Lehigh.

10 Q Okay. That's North Philadelphia, right?

11 A Right, right.

12 Q Okay. Let me ask you this. Could I, dressed in my suit
13 like this, walk into this place at Germantown and Lehigh in
14 North Philly and get a quantity of cut?

15 A No, nah.

16 Q Why not?

17 A 'Cause you going to look like a cop. Or a agent.

18 Q Okay. All right. You, however, were able to get it?

19 A Yeah, I was able to get it.

20 Q All right. Now, do you remember when -- I think it was
21 Detective Morano (phonetic) testified about how some cut is so
22 white that it's no good. You can tell the cocaine's been cut?

23 A Right.

24 Q The -- you saw the exhibits, the stuff that came from
25 Essex, the -- I don't know how to pronounce it -- the, what is

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1 it, W-blend? All the cuts that came from Essex?

2 A Yeah.

3 Q All right. Are those the cheaper cuts that you're talking
4 about?

5 A Yeah, that's the -- that was the cheaper cuts. Those cuts
6 you could buy like I said at GNC for like \$80 to \$100 for like
7 four ounces, I think. I don't -- you got to look at that
8 bottle. I don't know, I think it's like 112 grams or more.
9 But it's like four ounces of cut in them.

10 Q Okay. You were able to buy this fish tail -- fish tail?

11 A Fish scale cut.

12 Q Fish scale cut?

13 A Uh-huh.

14 Q All right. In North Philadelphia?

15 A Right.

16 Q All right. How much did you buy?

17 A I would buy -- at first, I wasn't buying a lot. I would
18 buy like a half a brick of it.

19 Q All right. You used the term brick.

20 A Right.

21 Q All right. Does brick inherently mean cocaine to you?

22 A No. That's for quantity for that, for that particular
23 substance.

24 Q So if you were going in to order a half kilogram of this
25 cut, how would you order it? What would you tell them you

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1 want?

2 A I would tell them I want a half brick of that fish scale.

3 Q If you want a whole kilogram, what would you tell him you
4 want?

5 A I would tell him I want a whole brick of the fish scale.

6 Q All right. How much would a half brick cost?

7 A A half would cost me about -- first it was like 500. Then
8 I started getting it for like 400.

9 Q All right. Who were you getting it from?

10 A I -- dude -- his name was Toine (phonetic), but it was a,
11 it was like a audio store. They sell like CD's and radio
12 equipment and all that. But you couldn't -- you had to -- he
13 would pull you in the back, you know what I mean, and get it
14 for you.

15 Q It wasn't on display when you walked in there?

16 A No, it wasn't on display.

17 Q Okay. Now, is this a black guy, white guy, Puerto Rican
18 guy?

19 A Black.

20 Q Black guy?

21 A Yeah.

22 Q Old, young, middle-aged?

23 A I was young then; he probably was middle-aged. Yeah.

24 Q All right. Do you know where he got this fish, fish scale
25 cut from?

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1 A I think he got it from New York, but I don't know for sure
2 where he got it.

3 Q Okay.

4 A Yeah.

5 Q All right. So you would go in there and buy -- I think
6 you said started out a half brick?

7 A Right.

8 Q Half kilo of cut?

9 A Right.

10 Q All right. And you paid 500 for it?

11 A Right.

12 Q And then started getting it cheaper?

13 A Right.

14 Q Now, what quantities -- and you sold it at the barber shop
15 in Chester?

16 A Right.

17 Q What quantities were you selling in Chester?

18 A I would sell it in little boys and big boys.

19 Q All right, what's --

20 A Or quarter ounces.

21 Q What's a -- quarter ounces?

22 A Yeah.

23 Q What's a little boy? What quantity is that?

24 A A little boy's a quarter ounce of cut.

25 Q And a big boy would be a what?

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1 A Ounce of cut.

2 Q So if I wanted to buy a quarter ounce of cut --

3 A Uh-huh.

4 Q -- I would ask for a little boy?

5 A Right.

6 Q Okay.

7 A Well, not, not, not customers.

8 Q Okay. Back in 1998, remember when you guys -- I think the
9 barber shop -- I knew I'd get it --

10 A Right.

11 Q -- was raided, do you remember that?

12 A Right.

13 Q All right. Tell us about that. What happened there?

14 A We was in the barber shop, and I actually was buying the
15 swings for the, for the day care center. I went and brought
16 the -- I went and brought the swings and when I pulled in front
17 of the barber shop, I had noticed the cops. And it's a gas
18 station -- you can't see it from that picture, they was all
19 tullied (sic) in that gas station. So when I pulled in the
20 barber shop, maybe about five minutes after I pulled into that
21 barber, to my barber shop, they just raided it. Kicked the,
22 came in and bust through the door.

23 Q Who was there that day?

24 A Me, Deuce, Jerv, some customers. About three or four
25 customers; I can't remember exactly who was there. Somebody

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1 was getting their hair cut though. And the shampoo girl.

2 Q And what happened?

3 A They raided the barber shop, searched us all, went in the
4 closet and grabbed -- somebody told them we was selling drugs
5 out the barber shop, but --

6 Q Okay.

7 A -- they went in the closet and retrieved my boots.

8 Q Your boots? Were these the black size nine boots I think
9 we heard the officer testify about?

10 A Yeah, my Timberland boots. And I had the cut in there.

11 Q In what quantities?

12 A I actually had -- I actually had a four-and-a-half of cut
13 in the, in like -- two quarter-ounces in there, but he
14 testified --

15 Q You had more in there than --

16 A -- than he testified to, yeah.

17 Q Okay. Okay. Were you selling it in quarter-ounce
18 quantities?

19 A Yeah.

20 Q All right. And that was in your boots?

21 A Yeah, it was in my boots.

22 Q Did they search the whole place?

23 A Yeah, they searched the whole place.

24 Q Didn't find any drugs?

25 A Nope, no drugs.

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1 Q Crack?

2 A No crack.

3 Q Marijuana?

4 A No marijuana.

5 Q Cocaine?

6 A No cocaine.

7 Q Pills?

8 A No pills.

9 Q Anything?

10 A Nope.

11 Q The only thing --

12 A He thought he found cocaine though.

13 Q They found -- the only thing -- yeah.

14 A Yeah.

15 Q When they got that --

16 A Right.

17 Q -- did they think they found -- strike that. What did
18 they do when they pulled out the cut?

19 A They locked me and Deuce up because I was the owner of the
20 shop.

21 Q Now, this is, this is the fish scale cut we're talking
22 about?

23 A This is the fish scale cut.

24 Q Did you see him field -- do you know what a field test is?

25 A Right.

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1 Q Did you see him do that?

2 A I made him do it 'cause when we got to the police station,
3 I knew it wasn't cocaine. And I asked him what is you locking
4 us up for.

5 Q What'd they say?

6 A He said you know what we locking you up for. You guys is
7 hustling and this is cocaine. What are you acting stupid for?
8 I said that ain't cocaine; that's soap powder. And he started
9 laughing. And then I said y'all not printing me or cuffing
10 me -- y'all not fingerprinting me and I'm not giving you my
11 name until you prove to me that that's cocaine. And they got
12 tired of me arguing with him, and one of the officers snatched
13 it from the officer that you, that testified here today --

14 Q Right.

15 A -- and he snatched it from him and said, you know it's
16 cocaine. Just test it -- he arguing for -- and he put it in
17 the tester, and he shook it like three, four times. And he
18 said must be a mistake.

19 Q What did he do then?

20 A He did it again.

21 Q How many times did he test it?

22 A He tested it like three or four times, and then his
23 partner said well, if it ain't, it ain't coke, you got to let
24 him go. And he said I'm not letting him go nowhere; that's
25 coke. And he still charged us.

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1 Q How long were you held on that case?

2 A We made bail the next day. I had to go to Court for it
3 for about -- they sent it out for a lab report, so I had to go
4 to Court for it for about -- I don't know, two months maybe. I
5 can't remember.

6 Q Okay.

7 A Couple months.

8 Q Ultimately, they sent it off to the state police lab?

9 A Yeah, because they didn't believe that it still was cut.

10 Q And the state police lab report came back?

11 A Negative.

12 Q That it was cut?

13 A Yup.

14 Q Had to let you all go?

15 A Had to let us go.

16 Q Okay. Now, at this time period, you still living with
17 Lorraine?

18 A Yeah.

19 Q All right. Where you living at with Lorraine?

20 A Korman Suites still.

21 Q Do you know a fellow named -- and you're still seeing
22 Kris, Kristina?

23 A Yeah, I'm still seeing Kristina.

24 Q So we're in about, what, '98 now?

25 A Yeah, we in '98 still.

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1 Q Okay.

2 A This was '98, going into -- I can't remember too good on
3 the numbers, but I think we going into '99. Kris might have
4 been, might have got pregnant around this time.

5 Q Right. Remember the name, or did you hear the name in the
6 trial, Ron Walker?

7 A Yeah, Ronnie Walker.

8 Q Okay. In addition to selling cut to the people at the
9 barber shop, were you selling cut to other people?

10 A Yeah.

11 Q Like who?

12 A Like him.

13 Q Who's Ron Walker? How did you meet him?

14 A I met Ron -- Ron just an old-head from like, from the
15 neighborhood. I know him from, just from the neighborhood.
16 Ron is --

17 Q All right.

18 A -- he an old-head, yeah.

19 Q You used a phrase there, old-head. What's that mean to
20 you?

21 A Somebody older than you.

22 Q Okay.

23 A You my old-head.

24 Q Oh, great. All right. So you had known Ron -- when you
25 say from the neighborhood, what neighborhood are you referring

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1 to?

2 A Paschall.

3 Q Paschall.

4 A Uh-huh.

5 Q All right. Did you sell Ron cut?

6 A Yeah.

7 Q Where would you sell this cut at?

8 A Ron -- I sold it at my barber shop mainly. That was my
9 headquarters for the cut, but certain guys that I knew, like
10 Ron, I would sell it to him, just make him meet me at my house.

11 Q And where were you living at that time?

12 A Korman Suites.

13 Q Korman Suites.

14 A Uh-huh.

15 Q Do you remember Desmond Faison's testimony about when he
16 came to the apartment?

17 A Yeah.

18 Q Okay. Did Desmond ever come to your apartment that you
19 know?

20 A I can't say he lied but I never -- if he did meet Ron
21 there, Ron ain't let me know. He must have -- they must have
22 did it behind my back because I never allowed Desmond to come
23 to my house.

24 Q Okay. Did you ever serve cocaine to Ron in Desmond's
25 presence?

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1 A No.

2 Q Did you ever serve or sell cut, give it to Ron in
3 Desmond's presence?

4 A No, I did not.

5 Q Okay. But Ron did come to your place at Korman Suites?

6 A Right.

7 Q All right. So Dez could have meet, met him there?

8 A Dez could have met him there, but I just ain't know Dez
9 met him there. Ron might have did that behind my back, met.

10 Q What kind of -- now, we talked about this cut. What kind
11 of quantities of cut are you selling to, like Ron, for example?

12 A I would sell Ron like a half a brick of it or a whole
13 brick of it.

14 Q Okay. You're getting this stuff, I think you told us
15 originally you were getting it for 500 bucks, right?

16 A No. I was -- that's for half a brick of it, yeah.

17 Q For a half a brick.

18 A Right.

19 Q So it would be a thousand for a kilogram, full brick?

20 A Yeah, but then I started getting it for like 800 --

21 Q Okay.

22 A -- then it got down to --

23 Q All right.

24 A -- 600.

25 Q Or 800 for a whole one --

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1 A Right.

2 Q == have you ever heard it called that?

3 A Yeah, a whole one. Yeah.

4 Q A whole brick?

5 A Right.

6 Q Okay. So you started getting it for 800?

7 A Right. If I get a whole one, yeah.

8 Q If you get a whole one. How much are you selling this
9 stuff for?

10 A Back then, '98?

11 Q Yeah.

12 A '98, I sold it for more. I got like -- I got \$100 for an
13 ounce, \$25 for a quarter ounce. That's how I would normally
14 sell it in those, those -- those are my customers for like the
15 barber shop. Then Ron, I would sell him the half a brick. He
16 just couldn't know where to get it at, so I would sell it to
17 him for like six, 700. I wouldn't make much profit on it.

18 Q Okay.

19 A Yeah.

20 Q How much money do you think you're making off the cut
21 sales that you're making?

22 A I would make -- back then, you're saying '98 or what?

23 Q Yeah, '98, '99?

24 A '98, I would make -- I would make about 2,800 once I'm
25 done selling the whole brick of it.

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1 Q Okay.

2 A Yeah.

3 Q And how many bricks do you think you were selling? Say on
4 a monthly basis. I mean, it started out -- did it start out
5 small and gradually increase?

6 A Yeah, it got bigger. I -- at first, it probably was -- I
7 can't put it weekly. I guess, it might take me a week or two,
8 a week or two to sell 'bout a brick or two a week tops.

9 Q And that was in cash?

10 A Yeah. About a brick a week.

11 Q And that's in addition to the other 9,000 in cash you're
12 making off the barber shop?

13 A Yes, they're different.

14 Q Day care center?

15 A Right.

16 Q Water ice in the summer, pay phone?

17 A Right.

18 Q Okay.

19 A Right.

20 Q Does there come a point in time when you move out of
21 Korman Suites, and I guess, I don't want to say leave Lorraine.
22 That's not an appropriate term, is it?

23 A Right, I never --

24 Q Did you ever really leave Lorraine?

25 A Yeah, I never really left her.

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1 Q But you began spending more time with Kris?

2 A Right. After that, after they raid the barber shop, they
3 sabotage it for me so I didn't -- I stopped -- I used to only
4 cut on appointments now. Plus my money was up, so I didn't cut
5 hair every day no more. I used to only cut on Thursday,
6 Friday, Saturday. And I stopped selling the cut after the
7 barber shop raid. I just would only sell it to certain dudes.
8 But --

9 Q Well, how are you making your money then? Because the,
10 you say the barber shop got raided, right?

11 A Right.

12 Q Obviously, that shuts down your revenue from that?

13 A Right. Well, the barber shop, I didn't stop, I didn't
14 stop cutting hair until like '99, almost 2000. About the end
15 of '99. Yeah.

16 Q All right.

17 A So now I'm just selling cut and cutting hair three days a
18 week. That's it.

19 Q All right. Let's go to the fall of 2000, all right?

20 A Right.

21 Q Now, refresh my recollection. When did you meet Randall
22 Austin?

23 A I met Randall Austin -- I met Tim in like, I met Tim 'bout
24 '99, so I met Ran about two years later, like the end of '01.

25 Q When you say Tim, you're talking about Tim Baukman?

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1 A Yeah.

2 Q Okay. You met him in '99?

3 A Yeah.

4 Q And you met Ran in '01, two years later?

5 A '01, yup.

6 Q All right. What about Taz? Is Taz around in the fall of
7 2000?

8 A No, I believe Taz might have -- Taz was locked up in 2000.

9 Q And by Taz, you know that to be Terry Walker?

10 A Terry Walker, yeah.

11 Q And you think he was locked up?

12 A Yeah, I'm almost sure he was locked up in 2000. He got
13 out, it might have been like the end of 2000 or the beginning
14 of '01.

15 Q Okay. Rasheed Calhoun --

16 A Right.

17 Q -- is he still dating your cousin? In the fall of 2000,
18 is, does he, to your knowledge, have a relationship with your
19 cousin?

20 A Yeah, they had kids together. They were still boyfriend
21 girlfriend.

22 Q All right. Do you know Charlton Custis this time period?

23 A In 2000?

24 Q 2000?

25 A I don't know him, but I know, I seen him, I seen him, you

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1 know, around, but I don't know him, no.

2 Q All right. Where do you see him around at?

3 A In 2000, I ain't seen him around at all. I ain't, I
4 didn't meet Charlton Custis till after I signed Nino Brown, my
5 artist.

6 Q Okay.

7 A All right.

8 Q Which again is --

9 A That's --

10 Q -- in 2002?

11 A Yeah, that's 2002, 2001.

12 Q All right. How much contact -- how frequently do you even
13 go to Cecil Street in, let's say the fall of 2000? How --

14 A Never.

15 Q Okay.

16 A Never.

17 Q All right. Do you remember that incident that Charlton
18 Custis described where he supposedly had a confrontation
19 with -- was it Randall Austin? No, it was Rasheed Calhoun.
20 You remember that testimony?

21 A Yeah.

22 Q And then supposedly Rasheed picks up the phone, makes a
23 phone call and then you show up in a newer model car along with
24 Taz and Ran?

25 A Yeah, I remember that testimony, yeah.

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1 Q Do you remember that testimony in the fall of 2000?

2 A Yeah.

3 Q Did that happen?

4 A No.

5 Q All right. Were you in the area of Cecil Street in the
6 fall of 2000?

7 A Answer that -- he actually put lies with truth. That
8 answer that happened between him and Sheed, I happened to be
9 driving past, and I seen Sheed, it was a lot of people in the
10 neighborhood, like at the top of Cecil Street.

11 Q Okay. Well, what are you doing on Cecil Street to begin
12 with?

13 A My grandmother lives on 57th Street, right around the
14 corner from there.

15 Q Okay. So you were there seeing your grandmother?

16 A Exactly.

17 Q And you were driving --

18 A I'm leaving my grandmother's. I drive past Rasheed. I
19 see him out there and he flagged me down like this. He flagged
20 me down, so I pulled over and I asked him what's up? And he
21 was mad because he was getting ready to, him and Gusto was
22 getting ready to fight or something. And when I looked over
23 there to see who Gusto was, Gusto was with two other guys,
24 Marcus, L'il Marcus, which is Deuce cousin, and some other
25 dude. And I said what's going on? And L'il Marcus and the

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1 other guy was like it ain't nothing, that's your people? I
2 said yeah, that's my family, man. What's going on? And then
3 they just squashed -- whatever beef they had, they just
4 squashed it right there. But I was by myself.

5 Q Okay. Were you supplying kilogram quantities of cocaine
6 to Rasheed Calhoun's faction? Do you remember that testimony?

7 A No.

8 Q In 2000?

9 A No.

10 Q Ever?

11 A Ever.

12 Q Okay. And there was no confrontation between you, Ran and
13 Taz, and I guess Gusto's group, the way he described it?

14 A Never. No confrontation.

15 Q All right.

16 A I never even sold Rasheed cut. I never even sold him cut.

17 Q Okay. All right. All right. Now, how did you get
18 involved -- we're up to like 2000 now, right?

19 A 2000.

20 Q All right. How did you get involved in the entertainment
21 industry? How'd that happen?

22 A My brother was signed to, he had a record deal with Suge
23 Knight and Corrupt.

24 Q Okay. What -- which brother?

25 A Michael.

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1 Q Michael?

2 A Right.

3 Q By Suge -- is it S-U-G-E, Suge Knight?

4 A Yeah, Suge Knight. He had some cockamamie contract. I
5 don't even think they signed him all the way, but he was in
6 cahoots with them, a singer.

7 Q I'm sorry, with a singer?

8 A He was a singer for them.

9 Q All right. He was a singer with --

10 A Corrupt.

11 Q -- a label that Sujay (sic) Knight was doing?

12 A Yeah, Corrupt?

13 Q Am I -- is it Suge? Am I mispronouncing it?

14 A Suge Knight, Snoop Dogg and Corrupt, yup.

15 Q Okay, okay. And when was -- to your knowledge, when did
16 they have this relationship? What year?

17 A 2000, '99, 2000. They had him around for a couple years,
18 just not doing nothing with him. Just making him help them
19 promote their stuff instead of his stuff.

20 Q All right. So you're talking with your brother, Michael?

21 A Right.

22 Q And --

23 A He been with them since like '98, early '97, '98,
24 something like that.

25 Q And did you say they were -- that your brother, was he

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1 with a -- was he signed with a label?

2 A Yeah, but they never did nothing with him. I'm not even
3 sure if he actually signed an agreement with them.

4 Q Okay. What does label mean? Assume I don't know what
5 that means. Tell the jury what a label is in your business.

6 A A record label is like my company. But theirs were,
7 theirs were, they was on a bigger level. They were on a higher
8 level. They had a major record deal. So a label, a record
9 label is somebody that sets up a business and you have a
10 artist, and the artist singing rap for you.

11 Q Roc-A-Fella Records?

12 A Roc-A-Fella Records. That's a label.

13 Q That's a very well-known label?

14 A That's a big-time label, yeah.

15 Q Okay. Run by at least here Damon Dash?

16 A Jay-Z now.

17 Q Jay-Z, but back in the time period --

18 A Partners with Damon Dash and Jay-Z, yeah.

19 Q Okay. Damon Dash the guy who, I think the Bentley you
20 drove was titled in, right?

21 A Yeah, my Bentley was in his name, yup.

22 Q Okay. All right. So your -- Michael is, maybe he's
23 signed, maybe he's not, but he has a relationship with this
24 record label, Corrupt?

25 A Exactly.

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1 Q Then what happens?

2 A He got tired of being a poster boy for them, just passing
3 out flyers and stuff like that. So he told me, he said, you
4 know, what you think about a record label. And --

5 Q Well, what are you doing at this time period? How's the
6 barber shop going?

7 A Barber shop is a, barber shop still up and running. Like
8 I said, I was only cutting about two or three days a week now.

9 Q Okay.

10 A I still was doing good. Like I said, I always gambled and
11 my dogs, my kennel. So he asked me, he know I had money. So
12 he said why don't we, why don't you start a label? And I
13 already -- matter of fact, prior to doing the label, I used to
14 do just my birthday party in my barber shop. I would always do
15 a party. My party started back in like '98.

16 Q Okay. Did the parties precede creation of the record
17 label?

18 A Exactly.

19 Q All right.

20 A I would do good on my parties. I would have a birthday
21 every year or a party for my barber shop and hair salon and
22 stuff like that would always make my shop a part of it. So I
23 had a fan base for parties. So I would do little parties,
24 little small parties, but they would always be packed. So --

25 Q Would you go to particular locations? Would you do them

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1 at your house?

2 A No, I would do them at like skating rinks. Small little
3 bars with like, you know, like you would throw a wedding
4 reception at. I would rent a hall or something and just have a
5 party like that.

6 Q Some place with a banquet room?

7 A Yeah, banquet room.

8 Q And what would you do, get a D-J?

9 A Yeah, I'd get a D-J, and I'd rent the space. Get a D-J,
10 promote it on flyers. Let everybody know that I was having a
11 party and that's it.

12 Q In the beginning, did you charge people to get into these
13 parties?

14 A Yeah. I charged people to get in every party.

15 Q And where did you get the D-J, where'd you get the D-J's
16 from?

17 A Street.

18 Q Okay.

19 A Yeah. Paid one of the little D-J's that I know from the
20 neighborhood. Somebody that got D-J equipment. Give him like
21 \$200. That's your D-J.

22 Q Okay. And how'd these parties do?

23 A They did good. Particularly I had threw a nice one; it
24 turned out real good. I had a skating party, but that was
25 after around the time I started the label. When my brother

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1 gave me the idea of starting a label, I had rented some studio
2 time and had some rappers that he knew, he basically knew and a
3 couple rappers that I knew so I put them in the studio, gave
4 them some beats. They did good. We put together a mix tape.

5 Q All right. All right. What is a -- explain to the jury
6 what a mix tape is.

7 A A mix tape is a underground CD, where you would take a
8 beat from like Ludacris or Jay-Z, a song that's popular, that
9 they, that they know is popular, that everybody knows, and then
10 one of my artists would rap over that beat and make their own
11 version of a song about it.

12 Q Like Puff Daddy song, Every Move You Make, where they re-
13 recorded --

14 A Right.

15 Q -- would that be an example?

16 A Every Move You Make?

17 Q Well, they took the song Every Move You Make and then re-
18 recorded it with --

19 A Yeah.

20 Q -- a rapper singing it?

21 A Exactly. With Every Move You Don't Make, they make their
22 own song about it, yeah.

23 Q Okay. Okay. So a mix CD is basically where you take
24 somebody else's beat --

25 A Take somebody else beat.

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1 Q -- which is somebody else's music, right?

2 A Somebody else music.

3 Q And you have your rappers coming in?

4 A Right.

5 Q And they --

6 MR. WARREN: All right, Your Honor.

7 BY MR. WARREN:

8 Q Did you --

9 MR. WARREN: Judge, I'm trying as best I can.

10 BY MR. WARREN:

11 Q All right. You told us that you had done a mix tape?

12 A Right.

13 Q All right. This was the first one you did?

14 A This was the first mix tape I did, my brother.

15 Q All right. How did you go about doing a mix tape?

16 A I rented studio time, put the mix tape together, the
17 master. And then I got about 1,000 copies printed up.

18 Q Who were the artists? I mean, who'd you get to sing on
19 the CD?

20 A On the first one, my brother, Mykal, P Dot A --

21 Q Brother, Mykal, is that the picture we saw -- M-Y-K-A-L?

22 A Yeah.

23 Q Okay. So your brother.

24 A Another --

25 Q You said P Dot?

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1 A P Dot A, another group I had called The Young Assassins.

2 Q And this is on the first one, right?

3 A Yeah, this on the first one. The Young Assassins.

4 Another group I had called The Untouchables. Another group I
5 had called The Delinquents.

6 Q Okay.

7 A Bunch of artists. I had a lot of artists.

8 Q Okay.

9 MR. WARREN: And I've marked this exhibit
10 collectively as DC-8 and I think we can stipulate this is some
11 of the materials seized from the studio on --

12 UNIDENTIFIED ATTORNEY: Springfield.

13 MR. WARREN: Springfield.

14 MR. LLORET: I saw them.

15 MR. WARREN: Okay. Want to see them again?

16 (Pause while counsel reviews exhibit)

17 BY MR. WARREN:

18 Q All right, Mr. Coles, I'm going to hand you what I've
19 marked collectively for purposes of identification as DC-8, and
20 we've got a stipulation that is some of the stuff that was
21 seized at the studio on Springfield Avenue. What's that?

22 A This actually, this ain't the first one, but this one of
23 my free, this one of my free-style mix tapes.

24 Q Is that an example of a mix tape?

25 A This is an example of a mix tape, exactly.

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1 Q Take Down Records?

2 A Take Down Records.

3 Q Yeah, look at the address. What's the address on there?

4 A 118 South 46th Street.

5 Q Okay. And that was before you guys went to the other one,
6 right?

7 A Right. That's -- this before I went down town. I got, I
8 had an office down town after this. But this my first office
9 is 118 South 46th Street.

10 Q Okay. Just hang on to that for a second. That's an
11 example of the type of mix tape that you first did?

12 A Exactly.

13 Q How was this first mix tape? How did it work out?

14 A It was good. I couldn't believe it. They, they did good.
15 So I printed up about 1,000 of them and I started giving them
16 out to friends of mine to sell.

17 Q All right. How did you print them out? You said, you
18 said the --

19 A I went, I actually -- it was so good that I actually went
20 and the first 1,000 I think I, I believe I paid to get printed
21 up, 1,000 of them at one time. But after that, I went and
22 brought a burn machine and a, the computer, that's why -- this
23 my second one. I actually brought the machines to print them
24 up myself.

25 Q All right. You said you burned them yourself. What does

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1 that mean?

2 A Right. Means you buy the machine, a CD burner --

3 Q Yeah, what's a C -- all right, how do you burn a CD?

4 What's that mean? Assume I'm illiterate.

5 A You got a blank CD. This would be a blank CD at first.

6 Q Right.

7 A And then you put them -- they towers. I got, I brought
8 two towers. I think they spit out about eight CDs at a time,
9 so I had two towers spitting out 16 CDs. You just put a blank
10 CD in there. You put the master in there. The computer reads
11 the information from the master, and then it burns them on to
12 the blank CDs.

13 Q And then you get the little containers to package them in?

14 A No, then I take them and put them in the, a print machine
15 that I got on the computer.

16 Q Uh-huh.

17 A I put them on the print machine and then print, you know,
18 free style mix tape, whatever the name, my label, my logo, Take
19 Down Records. And then put them in here.

20 Q What's it cost you? What did it cost you to produce,
21 generate, whatever you call it, that very first mix tape? How
22 much did it cost you?

23 A The first mix tape, I don't know. I spent about -- I was
24 paying \$50 a hour for studio time. It didn't take much studio
25 time for a mix tape, relatively quick, so --

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1 Q Is that because the music's already done?

2 A Yeah, the music's already done. You just got to rap on
3 it.

4 Q Yeah, they just played the beat --

5 A Right.

6 Q -- and the artists rap?

7 A Right. They rap. And at this time, none of the artists
8 was known. So they just rapped the raps they already known on
9 to another beat.

10 Q Okay.

11 A And that was it, so it didn't take much. I can't remember
12 exactly how much. I got to say I guess between 500 to \$1,500
13 altogether by the time they was printed up on the CD.

14 Q And I think you told us you had them print 1,000 for you?

15 A 1,000.

16 Q Okay. And what's that cost?

17 A That's with that 1,500 number.

18 Q Okay.

19 A About -- yeah.

20 Q It's part of that -- when you told me that 1,500 number,
21 that was the --

22 A Yeah, about 1,500, yeah.

23 Q Okay. How'd you go about selling it? Or I'm sorry,
24 strike that. Did you try and sell it?

25 A Yeah, I sold them. I sold them.

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1 Q How?

2 A I gave some away and I sold them for \$10 a piece. I gave
3 a couple away to get the buzz started and then I was selling
4 them for \$10 a piece.

5 Q How did you sell those? I mean, you weren't Tower
6 Records?

7 A No. I would -- I actually, this is around the time I met
8 Tim, like '99. So I had gave Tim about two or 300 of them to
9 sell and he sold them all quick. And then I sold them to like,
10 I would give them to like family, friends, people around the
11 way. I would give them like 20 CD's and they'd sell them for
12 me and bring me back \$150.

13 Q What was in it for them? Why would they sell this stuff
14 for you?

15 A They'd make \$50 and then just supporting me. Supporting
16 my label.

17 Q Okay. All right. Was this first mix tape that you
18 recorded, was it a success?

19 A It was the starting point for my business, so yeah, it was
20 some success.

21 Q Did you have a party centered around this mix tape?

22 A Right. I had a party a little while after. Once I
23 established, once the mix tape started buzzing and I started,
24 after I put the mix CD out, I started getting other people,
25 other rappers in the area were trying to get in contact with

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1 me. And then Tim had sold so many, he was interested in
2 becoming a partner with me because he had a lot of, a lot of
3 artists too. A lot of people was coming at him for selling the
4 CDs because it was good.

5 Q Where we at now, 2000, 2001, around in there?

6 A Yeah, we at 2000, 2001.

7 Q Okay. Go ahead.

8 A So I came up with the name Take Down Records because my
9 kennel was Take Down Kennels.

10 Q All right. Tell us about the kennel. When did you start
11 doing that?

12 A I been doing that the whole, since maybe '96, '97. I
13 always had dogs.

14 Q Okay. What kind of dogs?

15 A Pit bulls.

16 Q There were also some Corscos, was that later on?

17 A Yeah, I breeded, I breeded pit bulls -- I mean, I breeded
18 Cane Corscos, Maltese, miniature Doberman. I started breeding.
19 That was later. That was to like '02, '03.

20 Q What did you breed them for? For what purpose?

21 A The pit bulls?

22 Q Yeah.

23 A To fight.

24 Q How many did you have?

25 A Before I got locked up?

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1 Q Right.

2 A 27 dogs.

3 Q 27 dogs?

4 A Yeah.

5 Q I mean, how did you view a pit bull fight?

6 A How did I view it?

7 Q Yeah.

8 A They athletes to me. It's no different than a boxing
9 match.

10 Q I mean, were any of the dogs killed or electrocuted?

11 A No, we ain't do that. We just fought them. They quit
12 before they die. They ain't -- I never seen a dog -- I never
13 visually seen a dog die in the box.

14 Q They quit before they die?

15 A Yeah, they quit before they die.

16 Q All right, all right.

17 A It can happen though. They can get killed in the box.
18 Make no mistake about it. But I just haven't, never seen it.

19 Q All right. To you, this was like a professional boxing
20 match?

21 A Yeah, like professional boxing match. Athlete, like a
22 sport.

23 Q All right, all right. And did you take care of these
24 dogs?

25 A Yeah, I took good care of them. Fed them, conditioned

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1 them, exercise.

2 Q What about steroids?

3 A Shoot them up with steroids. You only want to use
4 steroids on them when they about to be in a match.

5 Q Okay. What do the steroids do, if anything?

6 A Enhance their speed, agility and their bite.

7 Q Does it hurt them, to your knowledge?

8 A No, it don't hurt them.

9 Q Okay. Where did you get these steroids?

10 A Back then or recently?

11 Q Back -- let's -- back then. We'll get up to recently.

12 A Back then, I would get them from different people. Ivan,
13 Johnny. Whoever, whoever had them. We had a, we had a guy
14 that was a, we had a guy that had, that was a vet. I had a
15 couple horses too. And I had a vet.

16 Q Okay.

17 A So my grandfather raced horses, so I had met a vet dude
18 that I used to deal with that I would get steroids from.

19 Q Okay. And just jumping forward real quick, when your
20 place out in Mullica Hill was raided in August, 2005 --

21 A Right.

22 Q -- did you have any of the equipment that you'd been
23 talking about at your house that wasn't seized?

24 A At which house?

25 Q Mullica Hill?

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1 A Far as the dogs?

2 Q Yeah. Or was it Woodstown?

3 A Woodstown.

4 Q Okay. What was at Woodstown that they didn't take? Or
5 take pictures of.

6 Q About 17 dogs, 18 dogs and kennels. I had kennels. They
7 was in like runs, five by fives and gates, tall. Had like 10
8 runs and, or like eight runs and one big breeding kennel. Like
9 a eight by eight.

10 Q What about any steroids or performance enhancing drugs?
11 Did you have --

12 A Yeah, I had -- it was some steroids there. It was
13 needles, iron, penicillin, everything.

14 Q Okay.

15 A Meals. Weights for the dogs. Everything was there.
16 Spring pools. Everything was there.

17 Q And did you go take them to fight dog fights with other
18 people who raised dogs for fighting?

19 A Did I take the dogs?

20 Q Yeah.

21 A Yeah.

22 Q Yeah.

23 A Yeah.

24 Q What kind of money would be -- did you actually go to
25 these dog fights?

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1 A Yeah, I used to go to them and promote them.

2 Q Were large sums of money wagered at these dog fights?

3 A Yeah, a lot of money.

4 Q What kind of sums?

5 A Anywhere from, anywhere from 5,000, 2,500 to 93,000, I
6 seen dog fights for.

7 Q Could be bet, right?

8 A Could be bet.

9 Q On one fight?

10 A One fight.

11 Q All right. Are you familiar with Michael Wicks' kennel?

12 MR. LLORET: Objection, Your Honor.

13 THE WITNESS: Yeah, we cracked it --

14 THE COURT: Objection sustained.

15 BY MR. WARREN:

16 Q Well, how much money do you think you made off dog
17 fighting? Over the years. I mean, you didn't just start and
18 stop this stuff, did you?

19 A No. I never stopped that. I couldn't even count it. I
20 made a lot of money on dog fights.

21 Q Well, you ended up with 17 dogs?

22 A Right.

23 Q Are these dogs cheap?

24 A No. I done paid up to \$10,000 for some of my dogs, 3,500,
25 5,000.

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1 Q Does it cost money to care for them?

2 A Yeah, it costs money to care for them.

3 Q Okay. Okay. Right, and your kennel was -- and by the
4 way, at the place in Woodstown, you had steroids and syringes
5 there?

6 A Steroids, syringes, penicillin.

7 Q So when Kris said she saw you injecting dogs, that really
8 happened?

9 A Yeah, when she saw me injecting dogs, that's steroids I'm
10 injecting them with.

11 Q Okay. All right. And your kennel was called what?

12 A Take Down Kennels.

13 Q All right. So you've decided now to -- the mix tape has
14 done well?

15 A Right.

16 Q And you had a party that you promoted in connection with
17 the mix tape?

18 A Well, not this, not that particular mix tape.

19 Q I know. The first one we're talking about.

20 A Right. Not even the first one. I had a compilation
21 album, and I promoted -- that was the starting -- I had so many
22 artists, I couldn't put out, figure out which artist I wanted
23 to put out first, so I made Tim a partner because he sold the
24 CDs well, and we put together a compilation album.

25 Q What's that?

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1 A It's a album where you promote all your artists instead of
2 just one artist. So I would let the public decide which artist
3 was worthy of me putting out the first album.

4 Q Okay. And who are the artists at this time? Were there
5 more than there were --

6 A Now, there are more, yeah. Tim came along. There were
7 more artists. I met Bugsy through Rasheed.

8 Q And who's Bugsy? We had Mykal, your brother, right?

9 A Right.

10 Q P Det, right?

11 A P Det A.

12 Q Young Assassins?

13 A Young Assassins.

14 Q Untouchables, right?

15 A Untouchables.

16 Q Now, you get Bugsy, right?

17 A Bugsy.

18 Q Also known as Anwar Berryman?

19 A Anwar Berryman.

20 Q Snake, did he come on board around this time?

21 A Snake came along.

22 Q What is Snake's real name?

23 A I don't -- I can't remember his last name. Brian though I
24 think is his first name.

25 Q Okay. Who else?

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- 1 A Nino Brown. That's Keenan Brown.
- 2 Q Nino Brown, Keenan Brown. That was Gusto's friend?
- 3 A Right.
- 4 Q That's how you met Gusto?
- 5 A That's how I met Gusto.
- 6 Q All right.
- 7 A Let me see. Tasha, she was a singer.
- 8 Q T-A-S-H-A, Tasha?
- 9 A Yeah, yup.
- 10 Q Okay.
- 11 A Caution & Minute.
- 12 Q Caution & Minute?
- 13 A Uh-huh.
- 14 Q And we'll look at some photographs tomorrow, but you've
- 15 seen -- remember those photographs we saw of all those groups
- 16 of people?
- 17 A All them photos that they showed, yeah.
- 18 Q Yeah.
- 19 A That's all just pictures of me at different clubs and
- 20 concerts and parties, events.
- 21 Q With your artists?
- 22 A With my artists and friends, yup.
- 23 Q All right. You were telling us how you put together this
- 24 compilation album?
- 25 A Right.

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1 Q And at that time, it's you and Tim basically?

2 A Yeah, now Tim's on board in 2000.

3 Q All right. So when is this?

4 A That Tim get involved with the label?

5 Q No, when is this that you put the compilation album
6 together?

7 A I put the compilation album together in '01, the beginning
8 of '01. I incorporated Take Down Records and I put my, we was
9 working on the compilation. We was working on it prior, from
10 the end of 2000, but we ain't actually put it out till '01.

11 Q Okay. Who did -- did you get a lawyer to do the
12 incorporation work for you?

13 A Yeah.

14 Q Who's that?

15 A Scott Griffith.

16 Q Scott Griffith?

17 A Right.

18 Q And do you know actually when Take Down was actually
19 incorporated? What year, what date?

20 A I can't remember the exact date. I know I -- I had Take
21 Down, I didn't incorporate it until like a year after I had it
22 up and running already. So but I want to say '01 or the
23 beginning of '02. I can't really --

24 Q Somewhere around in there?

25 A Yeah, somewhere around there.

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1 Q Now, you see on that CD that I put in that collective
2 exhibit, it's got an address there for Take Down, doesn't it?

3 A Right. Yeah.

4 Q Okay. Now is that the first office that you had for Take
5 Down Records?

6 A Yeah, this the first office. It wasn't a studio; it just
7 was a office.

8 Q Now, what's that address?

9 A 118 South 46th Street, which is a property I owned in
10 Kristina's name. Kristina Latney.

11 Q Okay. Now, by the way, are you living with Kristina on
12 Cedar Avenue? Are you still with Lorraine? What's your
13 romantic situation like at this time?

14 A By this time?

15 Q Yeah.

16 A I moved Lorraine to a house and then Kris still was living
17 with her grandmother, and then I brought that house over Jersey
18 in like '99 --

19 Q Okay.

20 A -- and just was fixing it up. I actually bought the house
21 for the dogs.

22 Q The one in, the one in New Jersey, Woodstown?

23 A Yeah, 'cause it's two-and-a-half acres. I brought it for
24 the land. The dogs were there before we were there.

25 Q Okay. All right, you just told us -- do you remember when

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1 I went through this with Kristina, identified the properties
2 that were put in her name?

3 A Right.

4 Q Let's start out with this question. Why would you put the
5 properties in Kristina's name?

6 A Certain properties I put in her name because we went to a
7 D-A's auction and brought it.

8 Q Okay.

9 A And you can't have a --

10 Q What's a D-A's auction?

11 A Like, something like the government, but the state.

12 Q Okay. Property seized by the government?

13 A Property seized by the government.

14 Q And the government's turning around and selling it?

15 A Exactly.

16 Q and you went to an auction?

17 A I went to a auction.

18 Q How'd you hear about these auctions?

19 A In the newspaper.

20 Q All right. So some of -- and what's the problem with
21 putting property in your name that you buy at a D-A's
22 forfeiture auction?

23 A You can't even buy it if you got a criminal record.

24 Q Okay.

25 A You can't buy a property from the D-A's auction.

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1 Q Are you still wanted at this time in New Jersey?

2 A Yeah, I'm still wanted.

3 Q So this is before -- this is before you've resolved the
4 situation in New Jersey?

5 A Exactly.

6 Q All right.

7 A I was on the run.

8 Q You were on the run, so to speak?

9 A Right.

10 Q You just -- you hadn't shown up to go to jail in New
11 Jersey?

12 A No. Say that again?

13 Q You didn't show up -- you were supposed to go to jail in
14 New Jersey?

15 A No, I wasn't -- I was supposed to show up. I didn't go to
16 jail exactly.

17 Q So you had warrants out for your arrest?

18 A Exactly.

19 Q Okay.

20 A Right.

21 Q All right. Why would -- what was the reason that you
22 couldn't -- now, you didn't -- I think we'll go all over the
23 properties, but you didn't buy all of the properties you put in
24 Kristina's name --

25 A No.

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1 Q -- at a D-A's auction?

2 A Not all of them. I brought 118 46th Street and 3801.

3 Q All right. Kristina did not remember how much this thing
4 cost. Do you remember?

5 A Yeah.

6 Q How much?

7 A 7,700.

8 Q Okay. You bought this for 7,700?

9 A Right. And I actually put that one in her name because
10 Lorraine was at work, so Kristina went to the auction with me.

11 Q Went to the auction with you?

12 A Yeah.

13 Q And you closed right there at the auction?

14 A Yeah, I put \$700 down, and then I had two months to pay
15 the 7,000.

16 Q Do you remember when it was generally that you bought
17 this -- it had to be before you started -- if you -- before you
18 started Take Down if you used this place for Take Down's
19 office --

20 MR. LLORET: Objection, Your Honor, leading.

21 THE WITNESS: Yeah, it was before that.

22 MR. WARREN: I apologize.

23 BY MR. WARREN:

24 Q Do you remember when?

25 A It was -- I can't remember the exact year. I got to say

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1 around 2000 though I might have brought that property.

2 Q Okay.

3 A Maybe even -- not 1999. 2000. It was after she had my
4 son, because I never really trusted her. She had my son.
5 That's when I put it in her name.

6 Q What about 2757 North 25th Street? Do you remember when
7 you bought this property?

8 A Yeah, I brought that -- I brought actually that one and
9 another one at the same time I believe. I bought them at a
10 drug auction, at the D-A auction. Barry and Slav (sic) was up
11 Northeast Philly.

12 Q How much did you pay for 2757 North 25th Street?

13 A 100 bucks.

14 Q 100 bucks?

15 A Yeah.

16 Q And this was bought at the forfeiture auction?

17 A Yeah.

18 Q Okay. And you said you think you bought two properties,
19 right?

20 A Yeah.

21 Q How about 5744 Tackawanna?

22 A No, that was actually a house that, like I said Kristina
23 had got pregnant, so I wanted to move her to her own house, out
24 of her grandma house. So that was a mortgage.

25 Q That's why it says -- do you remember -- Kristina couldn't

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1 recall how much it cost, but do you remember her testimony
2 about the 48,000 in insurance?

3 A That's how much the house cost was 48,000.

4 Q Okay. And --

5 A I dropped--

6 Q -- you had a mortgage on that?

7 A Yeah, we dropped I think four or \$5,000.

8 Q How's your credit at this time when you buy them? Do you
9 remember when you bought them?

10 A Yeah, my credit sucked till right now. Till today.

11 Q Okay. Okay. Fair enough. All right. Why was this
12 property titled in Kristina's name?

13 A Because she had the credit to get a mortgage.

14 Q All right. And I think you said you believed there may
15 have been another property you bought the same day you got that
16 place for 100 bucks?

17 A Say that again? Oh, yeah.

18 Q Yeah.

19 A Yeah.

20 Q Is that the one -- do you remember which one that was?

21 A I can't remember the address for that one.

22 Q Okay. All right. And the one in Woodstown, how much did
23 you pay for that?

24 A Oh, Woodstown.

25 Q Yeah.

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1 A I paid like 35,000 for that property.

2 Q Okay. To buy it -- so when she said it was only 2,500 or
3 she thought it was only 2,500 --

4 A Yeah, it wasn't no, it wasn't no 2,500.

5 Q She was wrong?

6 A Yeah, she was wrong.

7 Q All right. You paid --

8 A 35,000.

9 Q All right.

10 A For that property.

11 Q And then you paid to renovate it?

12 A And then I renovated it, yup.

13 Q How much did it cost you to renovate the place?

14 A By the time I was done, phew, might have took about
15 100,000.

16 Q 100,000. Which begs the question, where are you getting
17 the money to pay for this?

18 A The same money that I'm, been making from the barber shop
19 and the cut. And the cut really wasn't doing, I really wasn't
20 doing much with the cut, but I brought that property in '99.

21 Q Right. How long did it take you to get it -- it didn't
22 get fixed up overnight, or did it?

23 A No, it didn't get fixed up. That 100,000 it took me, I
24 only had to pay it in installments. I got the, the guy that I
25 got to fix the house up, he put me, he only charged me 30,00 to

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1 do the work. So I gave him the money in installments, like
2 7,200 each time. 72 or 73 a quarter, like every three weeks,
3 every four weeks.

4 Q Okay.

5 A And I just would buy the material.

6 Q Have you ever heard of H and N Contractors?

7 A That's my construction company.

8 Q Your construction company?

9 A Yeah.

10 Q Did H & N Contractors have anything to do with renovating
11 this place?

12 A Yeah, we fixed that up.

13 Q All right, when you say we, who was H & N Contractors?

14 A Hakiem Johnson and Naail, that's my attribute.

15 Q The initials H and N for Naail.

16 A H and N for Naail, yeah.

17 Q Okay, okay. When was that company formed?

18 A That was formed -- it was formed, I didn't, I just -- I
19 think I LLC'd that just because I was opening Take Down
20 Records, either before then or around, maybe 2000, something
21 like that.

22 Q What was the purpose for forming that company?

23 A Because I was getting into the real estate, buying my,
24 buying properties and fixing them up. So I opened up a
25 construction company.

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1 Q All right. Now, did you ever live at 118 South 46th
2 Street?

3 A I never lived there. I stayed there though in the, during
4 the summer of '05.

5 Q In the summer of '05?

6 A Yeah.

7 Q Okay. We're still in, we're still talking about the
8 formation of Take Down Records --

9 A Right.

10 Q This was Take Down's first office was in this location
11 here?

12 A Exactly. Yep.

13 Q Now, how many employees, if any, did Take Down have at
14 that time?

15 A When we first started?

16 Q Yeah, when you first started?

17 A Shayna, my mom, Caution's, Caution's mother. I don't
18 know, maybe like four or five of us. My brother.

19 Q All right, now, what are these people doing?

20 A My mom was my secretary. Shayna was my assistant. Me and
21 Tim were the owners. Caution's mom, she would just help her
22 out, help us out with anything. She just would help out around
23 the office or anything that we had going.

24 Q All right. Is -- and Take Down is formed in connection
25 with the production of the compilation album?

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1 A Yeah.

2 Q All right.

3 A We were, we were, we were Take Down Records before the
4 compilation album, but the compilation album was our first
5 official album that we put out.

6 Q Okay. And were you guys still at the 46th street -- what'd
7 you call it, the office?

8 A Right, the office. It just was office. We had a -- I
9 rented studio time and space at the office, the studio in South
10 Philly.

11 Q Where in South Philly?

12 A Right off Penrose Avenue.

13 Q All right. Now, was this like the previous thing, a mix
14 tape where the rappers basically laid down their own lyrics to
15 somebody else's beat?

16 A Exactly.

17 Q All right. But this was a compilation album with all your
18 rappers?

19 A Right. So when I opened my office at 118 South 46th
20 Street in the back apartment, because we just had got done
21 finishing that property. I had -- it's five units I got in
22 that property, so I used the back apartment as a office. Then
23 as we got bigger, we moved downstairs to the, to the first
24 floor office.

25 Q Okay. All right. Do you recall when you guys finished

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1 the compilation album?

2 A Some time in '01, some time in '01.

3 Q Okay. And did you make efforts, if any, to sell it?

4 A Yeah, we sold it. We had a, I had a compilation party at
5 a skating rink. I rented a skating rink at -- Elmwood Skating
6 Rink in Paschall. I rented the skating rink and I threw a big
7 party there, and that was the compilation release party.

8 Q Now, was that the, was that bigger than any party you had
9 previously thrown?

10 A Yeah, that was one of the big, that was one of my
11 biggest -- that was one of, that was my first big party because
12 I rented the skating rink and we packed it.

13 Q Okay. When you say packed it, how many people could
14 fit -- the Elmwood Skating Rink is where?

15 A Elmwood Skating Rink's in Paschall in Southwest Philly.
16 It holds about 800 people. We couldn't put no more people in
17 there.

18 Q Okay. How did you go about -- I mean, what do you do? Do
19 you sell tickets? I mean, how do you go about promoting and
20 selling for that party?

21 A For that, for that, for that party, we sold tickets and
22 took money at the door. We charged \$10 a ticket in advance,
23 and then we charged \$20 at the door.

24 Q All right. Who sells these tickets?

25 A My artists. People. Family, friends. Anybody that wants

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1 to help out and sell tickets. And I just sold the tickets.

2 Q Who was buying them?

3 A Everybody.

4 Q How many people showed -- and you said tickets were sold
5 in advance. Were they cheaper?

6 A Cheaper, they were cheaper if you brought the tickets in
7 advance.

8 Q And then you could also purchase, I guess, access or,
9 entrance at the door?

10 A Yeah, you pay -- if you don't have a ticket, you pay at
11 the door, which would be more money. That'd be 20 because it
12 depends on how many people are there.

13 Q Was this party a success?

14 A Yeah, this party was a success. I made about, for that
15 particular party, between the skating rink and the after party
16 I had down the street, I made about 30 grand.

17 Q 30 grand? What's an after party?

18 A An after party is a party you have after a party.

19 Q Thank you very much. Does it cost --

20 MR. WARREN: Do you want me to stop?

21 THE COURT: I, yeah, I think it's a good time. It's
22 almost five minutes of five.

23 Ladies and gentlemen, we're going to recess at this point
24 for the day. Going to ask you to be back tomorrow at 9:15,
25 ready to go. Again, I caution you don't discuss the case with

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1 anyone. Don't let anyone discuss it with you. Don't do any
2 independent investigation. Don't read about the matter. Don't
3 listen to anything about the matter. And we'll see you
4 tomorrow at 9:15.

5 (Pause as jury exits courtroom)

6 THE COURT: Mr. Warren, how much longer do you
7 anticipate your direct is going to be?

8 MR. WARREN: Probably -- in all candor, Your Honor, I
9 intend to go through a great many of these tapes, so I was just
10 telling the Prosecutor I'll probably -- I wouldn't be surprised
11 if I took most of the day tomorrow.

12 THE COURT: All right.

13 MR. WARREN: And that's honestly --

14 THE COURT: All right.

15 * * * * *

16 C E R T I F I C A T I O N

17
18 I, Mary Anne Kowalczyk, court approved transcriber,
19 certify that the foregoing is a correct transcript from the
20 official electronic sound recording of the proceedings in the
21 above-entitled matter.

22
23 

April 21, 2008

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